

eloquent testimony to the motives that actuated Āurangzeb. A similar attempt was made to convert Shivaji's grandson, Sāhū in 1703 A. D.

Not that Āurangzeb was intent on converting the Hindus only; he was keen on making India free from the 'Bāṭil Madhhabān' *i. e.* the Shī'as. It is told that Sayyid Quṭub-u'd-Dīn, a leader of the Shī'ah Bohras was killed with 700 followers under his orders.¹ He wanted to convert the Shī'as to Sunnism and refused Shī'as admittance into the court and stopped their chief festival the Nawrūz. Even Rahu'llāh Khān, Āurangzeb's Pay-master General (1686-92), a son of Mumtāz's sister, could not openly declare himself in favour of Shī'ism and he had to make a secret testament to have his dead body buried according to Shī'ah rites.² Āurangzeb's prejudices against the Shī'as created a gulf between the Shī'ah and Sunnī nobles of the court, resulting in a breach as wide as that between them in the Bahmani Kingdom in the 15th century. Even foreigners like Manucci and Bernier did not fail to notice the antagonism of the Shī'ah and Sunnī nobles which put the court machinery out of gear.³ Shī'ah-Sunnī marriages, which were so common in the earlier period, were looked upon with disfavour.⁴

1. Ma' āthir-u'l-Umarā, I. pt. II. p. 241.

2. Of Mumtāz's children only Sulṭān Suj'ah was a Shī'ah. Bernier op. cit. p. 7.

3. Mir'āt-i-Aḥmadī, Suppl. p. 110. Storia do Mogor, II. pp. 50-53. Bernier. pp. 146-53.

4. Aḥkam-i-Ḥamīdu'd-Dīn, Sarkar, Mughal Administration, Series II Ed. 1925 pp. 39-42.

THE STATE & RELIGION IN MUGHAL INDIA

By

Dr. M. L. Roy Choudhury,

M. A., LL. B., D. LITT., SASTRI.,

PREMCHAND ROYCHAND SCHOLAR,

MOWAT GOLD MEDALIST, GRIFFITH SCHOLAR,

*Formerly Professor of Oriental Studies in the Fowad I University,
Cairo ; Head of the Department of Islamic History
and Culture, Calcutta University.*

INDIAN PUBLICITY SOCIETY,
CALCUTTA

To

*The sacred memory of my brother
Late Rajendra Lal Roy Choudhury and
Twenty-two other members of my family
who lost their lives in the communal
fury and religious frenzy of October,
1946 at Noakhali, in East Pakistan,
this work is dedicated.*

ACKNOWLEDGMENTS

In preparation of this book I have received help from—
Ostad Mahammad Habib Ahmed, Professor in the department of Usul-u'd-Din of Al-Azhar, my Research Director in Al-Azhar, who interpreted the theory of Islamic State from a new angle.

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CALCUTTA UNIVERSITY
The 30th April, 1951.

M. L. R. C.

BOOKS ON ISLAMIC HISTORY AND CULTURE BY THE SAME AUTHOR :

1. The Din-i-Ilahi.
2. Egypt in 1945.
3. The Gita (Arabic Translation.)
with introduction and notes.
4. Travel Diary in Egypt.
5. History of India (Bengali)
6. Jahanara's Autobiography (Bengali)
7. Influence of Indian culture on Arabic literature.
8. Music in Islam.

Etc. Etc. Etc.

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FOREWORD

During the lifetime of the Prophet the Muslims formed a small fraternity of the faithful. They knew no king, recognised no priestly order and as faith formed the only bond of union, racial origins or regional affiliations counted for little. Such administrative control or spiritual guidance as the community needed came from the Prophet himself, who derived his authority not from the people but from God. Among the believers there was perfect equality and at the congregational prayer, at any rate, the master and the servant, the free man and the slave, the rich and the poor stood side by side. To the Prophet they were all children of Adam.

The democratic spirit endured, though not for long, after the Prophet had passed away. The first four Khalifahs were called to office by the consensus of Muslim opinion, they enjoyed no special privilege and drew no personal pay, and were *primus et pares* rather than the chief priest or the chief magistrate. The democratic theocracy, however, was converted into an autocratic monarchy when the Khalifah lost its elective character and became purely dynastic with the rise of the Umayyads to power but the political unity of the Muslim world apparently remained intact. With the advent of the Abbasids that apparent unity also vanished as two rival Khalifahs, one in the east and the other in the west, claimed Muslim allegiance. With the decline of the Abbasid power there was further fragmentation of the empire and new potentates representing local ambition set at naught the authority of the faithful though in theory his suzerainty was not always challenged. This revolution had many aspects, political, racial and theological.

In theory Islam did not recognise any distinction of race or birth, and a slave or a bastard had as much right to lead the

prayer as the near relatives and kinsmen of the Prophet. The Khalifah however was not only an Arab but Quraish as well. The Khalifaht, therefore, reflected the Arab claim to dominate the Muslim world in matters religious and political. When the Arabs formed the bulk of the Muslim population this practice caused no heart burning, but when Islam spread from the Pacific to the Atlantic, racial aspiration could no longer be kept in the background particularly as the Arabs themselves were torn by tribal conflict, family feud and personal jealousy. When the Ottoman Turks acquired the Khalifaht by force of arms other Muslim rulers saw no reason why they should be declined that dignity.

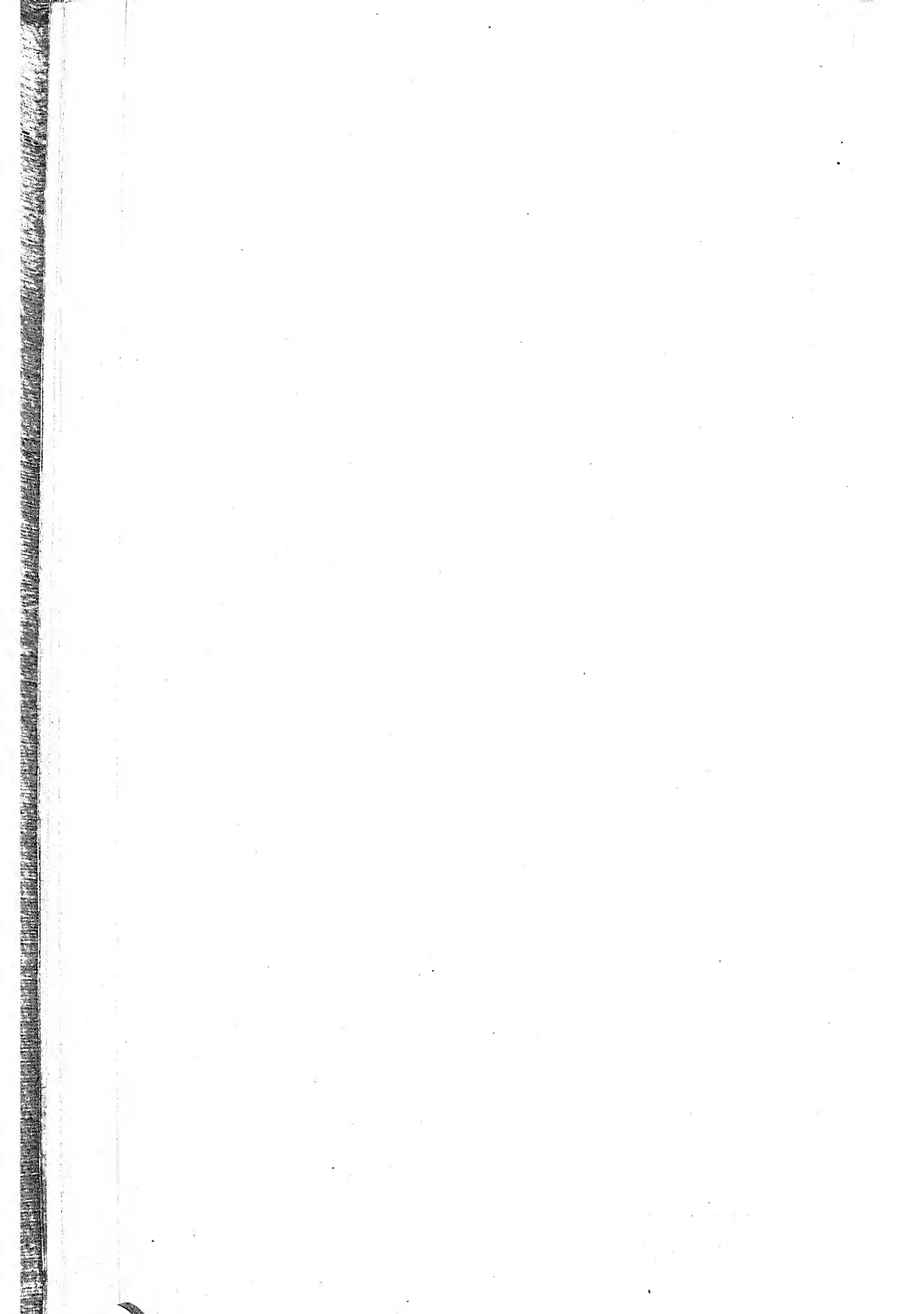
It was not from political defection alone that Muslim solidarity suffered. Theology also proved a weak link. It divided Muslims into two warring camps the Shia and the Sunni, and racial rivalries added bitterness to theological differences. Nor were the Sunnis united among themselves. Muslim law and theology were firmly based on the Quran but what was meant for a seventh century society of desert-dwellers did not always prove adequate for representatives of older civilisation. Nor did Arabia stand for ever where the Prophet left her. With the expansion of Islam the Arab social and political conception was necessarily coloured by fresh experience and new ideas. As the revealed laws could not be amended in the light of altered conditions they had to be interpreted anew and interpretations varied with the outlook of different schools of theologians. Some of them were extreme rationalists and were condemned heterodox but there were different degrees of orthodoxy and the new converts could not altogether divest themselves of their hereditary predilections. As the state or its executive head was not competent to legislate the theologians gained in authority and influence and different sects gradually came into existence within the orthodox fold. Consequently the unity of Islam became a thing of the past. It was no longer unseemly for one Muslim to fight another. It is against this background that we have to assess the religious policy of the Timurid rulers of India.

It is to be noted that Islam in India is not the same as Islam in the land of its birth. It has been radically influenced by the social and religious concepts of this country. Many Islamic sects are not governed by the Quranic law of inheritance and professional and racial castes are recognised by Indian Muslims although such a distinction is abhorrent to the fundamental principle of Islam. Firuz Shah Tughluq complained against the heretical practices prevailing among the co-religionists and Timur refused to recognise India as a Muslim country. He delighted to style his Indian expedition as a *Jehad* and Muslims of Indian were condemned as so many unbelievers. Aurangzeb's grandson celebrated the *Holi* and many Muslim rulers consciously adopted Indian customs. In their political alliances they were seldom influenced by religious considerations. Shahabuddin Muhammad of Ghor had no hesitation to join a Hindu prince against his Muslim neighbour and Hindus were recruited in Muslim armies against the early convention of Islam. A Hindu general, Tilak, ranked high in the service of Sultan Mahmud while Sahadev a Hindu officer fought shoulder to shoulder with his Muslim colleagues in the defence of Ekdala. Very few among the Sultans of Delhi cared to acknowledge the temporal or spiritual authority of the Khalifah. Allauddin Khalji deliberately ignored the Quranic precepts in temporal affairs while his son boldly went a step forward and assumed the title of Khalifah. His example was willingly emulated by others.

The brotherhood of Islam was recognised in theory alone, in practice a Person was a Person, a Turk was a Turk, an Afghan was an Afghan when their political interest was affected and racial instincts got the better of religious precepts. The Uzbek, the Mongol, the Tartar and the Tajik might subscribe to a common faith but were no longer prepared to abjure their parochial loyalties in favour of a spiritual fraternity.

S. N. Sen

Delhi University.



THE
STATE AND RELIGION
IN
MUGHAL INDIA

(1526-1707 A. D.)

INTRODUCTION

Islām is "surrender" to Allāh. Allāh is impersonal ; necessarily "surrender" to Allāh by a person involves a mental condition. In its inward conception "surrender" implies a resignation to the will of God as revealed in the Qur'ān and in its outward expression "surrender" implies a conformity to the code of conduct as may be found in the *Shari'at* and *Sunnah* (the Divine Law and the practices of the Prophet Muḥammad). By such surrender, a man becomes Muslim and he attains "peace." Islām, therefore, has two factors—one involving an attitude towards God and the other an attitude towards the affairs of the world. The attitude towards God supplies the background of the religion and ethics of Islām, and that towards religion gives the background of the state and politics in Islām. The implications are so wide that gradually Islām has come to be interpreted as a faith, a religion, a community of the faithful , a code of conduct, a civilisation and a culture.

Muḥammad was certainly conversant with the existence of states, because there were states near

about Makkah ; yet he did not directly advocate any state as such for the followers of his faith ; had he done so, he would surely have given direct indications as he had done on many other affairs of the mundane existence. Instead, he conceived a *Brotherhood of the Faithful*, bound together by certain ties of faith and rituals. But after the battle of Badr, the conduct of his life gave clear indications that the affairs of the community could no longer be decided and governed by the tribal customs of the Arabs, and in discharge of his responsibilities to the growing members of the Brotherhood, he had to undertake functions akin to those which a modern state undertakes. Gradually those precedents became models of conduct for the successors of the Prophet. Thus, round the personality of the Prophet and his actions and conduct grew up social ethics and conduct for the members of the Islāmic Brotherhood.

With the disappearance of the Prophet, came the question of succession to his mission, and Abū Bakr Aṣ-Ṣiddiq, his father-in-law and disciple, succeeded and became his Khalifah (successor). For more or less 30 years the centre of the Brotherhood was Madinah, and it was the period for some of the most spectacular conquests. The system of administration was simple. A great innovation was that the Arabs became a standing militia and were paid by the state for protecting it, the provincials supplying the funds. And it was the work of 'Umar, the second successor to the Prophet and another father-in-law of his. But all those thirty years contain, as well, the germs of political discontent and tribal jealousy leading to the

murders of some of the Prophet's successors, 'Uthmān and 'Alī.

Then followed the rule of a dynasty in Islām from 662 to 750 A. D.—the rule of the 'Umayyads who removed the capital to Damascus. The role of carrying out the Prophet's mission now passed on to a dynasty. The transfer of the capital from Madinah to Damascus exposed the government to influences of Christian population and of the Greco-Roman civilisation. The rule of Mu'āwiyah was essentially an Arab rule ; though the extension of the empire, or the propagation of the faith was in the name of Islām, yet the Arab element preponderated in the 'Umayyad period. Throughout the rule of this dynasty the antithesis between an Arab and a non-Arab continued. Except 'Umar II, who wanted to model his government on the ideals of his great namesake, hardly any member of the family took any deep interest in religion, and the Muslim Law began to develop away from the court and government.

The 'Umayyad dynasty succumbed to internal troubles and to an attack from outside which promised to elevate the family of the Prophet to the Khilāfat. The 'Abbāsids claimed a nearer descent to the family of Muḥammad and was supported by the Persians who were devoted to the family tradition of the founder of the Brotherhood. At their new capital, Baghdad, and for some time at Samarra, the 'Abbāsids reigned, though they did not always rule. They were Muslims first and monarchs next. As Muslims they were exact in the observances of their religious duties, and were often genuinely interested

in religion. As their supporters generally came from the Persians, and as the 'Abbāsids placed their confidence in the matter of state affairs in the hands of the Persians, naturally, the Arabs lost their pride of place. The court was open to anyone who professed to be a Muslim. Thus the antithesis between an Arab and a non-Arab disappeared, and in its place the difference between a Muslim and a non-Muslim was widened. The contagion spread all over the Muslim world.

At the outset the 'Abbāsids claimed to rule over the entire Muslim world except Spain. In about 864 A. D. Egypt became practically independent under Aḥmad ibn Tulun. In 946 A. D. the *Dilamite* family of *Bu'waith* who were Shi'ās, conquered Baghdad and kept the 'Abbāsīd Khalifas practically under their tutelage. In 969 A. D. the Faṭimids, who too, were Shi'as (also called *Ismā'ilians* by some), conquered Egypt and later Syria, retained their overlordship for two and a half centuries. In 1055 A. D. the Seljuk Turks conquered Baghdad, and for a long time they monopolised all powers in the state, though the 'Abbāsids were allowed to retain all the paraphernalia of the court with their Wazirs and ministers. The 'Abbāsids now laid more stress on their position as Imāms and they were satisfied with their primacy in the domain of religion. While they were busy in theological discussions in Baghdad, the empire of Islām outside split into a number of small states and Baghdad was no longer important as the seat of the Khilāfat. By 1258 A. D. the rule of the Arabs over the Islāmic world was substituted by that of the

Turko-Mongols. The meteoric rise of the Mongols and the Turks and their acceptance of Islām gave a fresh orientation to the history of Islām. By the 16th century the glory of Islām in the East was shared amongst the 'Uthmānīs, Timūrīds and Safawīs, and none of these were Ārabs. Each of them took a pride in his race and in his ancestors. Though they had accepted the religion of the Ārabs, they could not shake off their racial heritage, social instincts and political achievements. The Mughals¹ were Muslims by conversion ; yet, for a long time, they retained many of the elements of their home culture—the culture of Central Asia. That culture was eclectic and elastic. After their conversion, the culture of Ārabia supplied a fresh element to the Turķi culture. In spite of their reluctance to admit any foreign intrusion into their social regions, the religion of the Prophet of Ārabia imperceptibly influenced the social life of the Mughals. Again, after they had come in touch with the soft culture of Iran, especially after the entry of a larger number of Persian ladies into their harems, the influence of Iranian culture became prominent in their society. When they conquered and settled in Hindustan, they adopted the manners and customs of the country of their adoption. Few of the Chaghtāī's had any extra-territorial patriotism. They looked upon themselves as Indians, specially after their matrimonial

1. We use the word "Mughal" deliberately ; the correct denotation of the Indian Mughal should be "Chaghtāī Turk". The word Mughal has been used to refer to the Chaghtāī's in India. To avoid confusion, we stick to the inaccurate nomenclature, though the repetition of a wrong cannot make it right.

alliances with the Rajputs. Thus, the Mughals in India were Central Asian by birth, Arabian by religious association, Iranian by culture and Hindustani by adoption. Naturally, the currents and cross-currents of their social and religious associations made them something more than mere Muslims as is understood by the ordinary connotation of that term.

Through their arteries ran the blood of diverse nationalities fused into one. The blood of the Turks was mixed up with that of the Mongols in Timūr. Humāyūn's blood was the result of a mixture of the Central Asian with that of Māham Begam, possibly a Persian lady. Akbar's mother was a Persian lady, Hamidah Bānū: Begam, daughter of Mirzā Akbar Jāmi. The last link in the process of fusion was supplied by the Rajput when the princess of Jodhpur gave birth to Shāhzādah Salim. Thus, the Mughals in India could claim a peculiar genealogy and filtration of blood which could not fail to produce a peculiar psychology, unlike that of many early Arabs who often disliked intermarriage with non-Arabs. In India, the infusion of Hindu blood in many instances made them accommodate to tendencies which were not entirely Muslim.

The Mughals had their native tongue Turki. Then Arabic became the language of their religion. When they came to Persia a third language, Persian, was adopted by them as their court language. Finally, in India, the language of Hindustan became their spoken language. This linguistic fusion

was of supreme importance in the formation of their character.

Wherever they went, the Ārabs converted the country *en bloc*, and Islāmisation was swift, thorough and almost wholesale. The Ārabs fought battles generally with non-Muslims in the course of their expansion. But in India, the Mughals conquered the country from Ibrāhīm Lodī, a Muslim Sultān, with the indirect help or rather the connivance of the Hindus, and there was thus no question of an infliction of Islam on the Hindus *en masse*.

Further, intermarriage put the Rajputs, who were essentially a ruling community, on a par with the conquerors and practically raised them to the position of the "King's caste." Thus, the expected did not happen and the unexpected did take place: a process of fusion not always sanctioned by the *Shari'at* followed. Our investigation will pursue the lines along which the Mughal government moved consciously or unconsciously. In fact, the Mughals in India were Muslims no doubt, but their government was not just what an orthodox theologian would plead for.

The spirit of the times was in favour of a cultural fusion. A wave of *Renaissance* was passing over many parts of the civilised world for over a century preceding the Mughal advent into India. The *Renaissance* in Europe, the *Mahdī* movement in Islām, the *Ming* Revival in China, the eclectic *Sūfī* movement and the soft *Bhakti* cult in India were unobtrusively facilitating the process of fusion. The Mughals appearing on

the crest of that wave did not miss any of the undercurrents that flowed below the surface.

The gradual disintegration of the 'Abbāsids in Arabia necessarily gave rise to new religio-political pretensions in the Islāmic world. Of these, the 'Uthmānīs in Constantinople and the Timūrīds in India were the most pretentious though the scope of the former was wider. The growth of different political interests in different parts of the Islāmic world had broken the solidarity of a common Muslim state. The new races that entered the arena of Islām with different cultural outlooks and social backgrounds, naturally struck a serious blow against the idea of pan-Islāmism which was the fond hope of the early Arabs. The Timūrīds in India took full advantage of the absence of a strong K̲halīfah and of the disintegrating factors inherent in a wide and heterogeneous theocracy if the K̲hilāfat could be so termed. The development of a new political synthesis was the direct result; the status of a subject was not to be determined by the acceptance of the religion of the conquerors but by the offer of loyalty to their throne. This had a profound influence on the religious structure of the Mughal Empire in India.

Ethnological structure, cultural eclecticism, social environment and political necessity ultimately compelled the Indian Mughals to attempt some experiments which have given them a distinct position amongst the great rulers of mankind.

The present thesis is an interpretative one. We have interpreted the old facts from new angles.

The old idea of catalogue-making history no longer interests the intelligent student. Formerly interpretation was rather analytical and to-day it is more synthetic. New materials for the reconstruction of Mughal history are presenting themselves. The isolationist tendency of Indian life and civilisation, for which India was condemned by the Westerners, is no longer borne out by facts. The trans-Indian currents which entered into the silent stream of Indian life since the conquest of India by the Muslims, made Indian life sufficiently complicated. The Muslim period of Indian history so long exclusively interpreted by Indian events now needs re-interpretation in the light of information supplied by non-Indian sources. Some references to Indian religion, culture and civilisation influencing Islāmic life have been found in Arabic and Persian materials, while events occurring in the contemporary Asiatic countries and affecting the events of Mughal India were already there. The peculiar structure of Islāmic social life and the Khilāfat pretensions over the Muslims all over the world including those in India, the Shi'a-Sunni conflicts in the 16th century and the Mahdi movement amongst the Muslims in many parts of the world had their repercussions on many events in the Mughal kingdom in India. Events in Qandahar, Trans-Oxiana, Persia, Golconda and Bijapur, as much as the events concerning the Rajputs, Sikhs and Mahrattas determined the action of the Mughal State. So, in evaluating the actions of the Mughal Empire in India, we have to take a comprehensive view of all

events, in the light of their totality both Indian and extra-Indian.

But difficulty lies in the assortment of materials. The materials at our command are received from three sources :—

- (1) Indian Muslim,
- (2) Non-Indian Muslim and
- (3) European.

The Indian Muslim writers excepting Abū'l Faḍl, suffered from an inherent defect, namely, the absence of a statistical sense though they all claim to be recorders of dates and events (*Mu'arrikh* and *Wāqī'ah Navīs*—recorder of dates; writer of events). The Non-Indian Muslim writers looked upon the Indian Muslims more or less with an eye of derision and always assumed an air of religious superiority. Christian writers who came from Europe, looked upon Islām as a "false religion", and considered Indians as "semi-barbarians"; their reflections on Indian events and thoughts are often perverse. The European historians who first wrote Indian history for us in the 19th century interpreted events in their own peculiar light. They had a different religion and culture, and above all they were conquerors writing the history of the conquered. Their observations now require to be re-examined from the Indian angle. Our approach to a study of the relations between *the State and Religion in Mughal India* becomes all the more difficult when we are faced with conflicting information and interpretations from three different sources—Indian, European and Perso-Arabian.

Dates are often complicated by four modes of calculation, *viz.*, Lunar, (*Hijrī*) Solar, (*Ilāhī*) Regnal (*San-i-Julūs*) and Christian. Owing to the absence of statistical records, we have no exact information as to the number of temples destroyed, Mosques built, Madrasas founded, and the Hindus employed in the lower services of the state and the amount of Jiziah collected. No definite conclusion is possible on some points, *e. g.*, non-Rajput element in state service, the number of Hindu schools etc., and we have to wait for further materials. *Akhbārāt* (news bulletins) have been lost almost everywhere; only a few are in possession of the Royal Asiatic Society of London and some are in the Jaipur State and in the Hyderabad Archives (of the later period). Materials are scattered, links often missing, the information so contradictory and the language so ornamental and hyperbolic that interpretations are bound to differ. We do not claim that our interpretations are infallible but they are acceptable as reasonable in the light of materials that are now available. We have tried to take a comprehensive view of a very long period of Indian history covering nearly two hundred years, when the country was ruled by one of the most illustrious ruling families of the world in an age when the world was just changing from the old to the new order.

A fairly large number of books have been presented to the public both by Indian and non-Indian scholars on the political aspects of the Mughal Empire. Monographs and biographies on the life of the Mughal Emperors and princes may

claim a fair share of their contribution to the historical literature of the Mughal period. Administrative history is also attracting the attention of scholars in some quarters; and the study in this direction has been much facilitated by the writings of Ābū'l Faḍl in the earlier period and by the discovery of *Dasturū'l-'amal* of the post-Ākbar period. Beginning with Monstuart Elphinstone in the forties of the last century to Dr. P. Saran of the present, both Indian and European scholars have made contributions to the various aspects of Mughal Indian history.¹ But none of them has attempted to approach the subject from a religious standpoint in its entirety. Without a religious background the life of a Muslim is never complete, and every mediaeval Muslim claimed, in theory at least, that there was not much in the life of a Muslim if it was not religious. What was true of the individual was true of the society and the state. So the currents and cross-currents

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|----------------------|-----------------|-----------------------|
| 1. Ashraf, A. | Husain, W. | Payne, C. H. |
| Bailey, E. C. | Hodiwalla | Qanungo, K. R. |
| Banerjee, S. K. | Irvine, I. | Raverty, H. |
| Basheer uddin | Jarret, H. S. | Ross, Denison |
| Beveridge, A. (Mrs.) | Karkaria. | Roy, S. |
| Beveridge, H. | Khosla, R. P. | Roy, Choudhury, M. L. |
| Bird, I. Major | Lane-Poole, S. | Rushbrook, L. F. |
| Blochmann, H. | MacLagan, E. D. | Saran, P. |
| Dutt, K. K. | Modi, J. J. | Sarkar, J. N. Sir |
| Elliot, H. | Moreland, W. | Sarma, S. R. |
| Erskine, W. | Nazim | Saksena, B. P. |
| Habib, M. | Noer, Von | Smith, V. A. |
| Haig, W. | Prasad, Beni. | Tripathi, R. P. |
| Hasan, Ibn | Prasad, Iswari | Wayle, F. |

of the state and politics in a Mediaeval Islāmic country cannot be fully understood unless they are considered and interpreted with reference to the religious currents that ran beneath. In my work, *The Din-i-Ilahi* or *The Religion of Akbar*, I have attempted to interpret the different forces influencing the politics of Ākbar from the standpoint of religion. Much of the history of the Mughals remains unexplained if the religious aspects are left unnoticed and untouched.

Amongst the Indian historians of the Mughal period of the Indian history, Blochmann has written a valuable note on the religious views of Ākbar in his *Ā'in-i-Akbari* in connection with *Ā'in* No. 66. Vincent Smith, in his *Akbar the Great Mogul*, has devoted a chapter to the religion of Ākbar under the title of Divine Monotheism (*Tauhid-i-Ilahi*) which is totally misleading. His complete reliance on the writings of the European travellers and missionaries to the exclusion of indigenous sources, is responsible for his misconceptions and consequent misrepresentations. In the introduction of my work *the Din-i-Ilahi* (pp. xxxii-xxxv), I have critically examined the non-Indian sources utilised by Vincent Smith and exposed their shallowness. Payne, in his *Akbar and the Jesuits* and *Jahangir and the Jesuits* threw some light on the personal relation of these two mighty monarchs with their "Christian guests", and narrated incidental details on the manners and prejudices of the common folk. Maclagan's famous work *the Jesuits and the Great Moguls* abounds in details regarding relations of the Christians with

the Mughal Empire but he has refused to discuss the Indian point of view, and unfortunately his own views have been vitiated by the superiority complex which led to the display of his patronising attitude towards the Mughal Emperors. His book betrays a lamentable lack of sympathetic understanding of other men's points of view. But Maclagan must be read critically in order to have an idea of the attitude of the Mughal Emperors towards the Christian sojourners in the Mughal Empire. In that connection the accounts of the European travellers and missionaries are very useful, because they often embodied into their despatches observations on minor details of the social life of the people which were neglected by the contemporary indigenous writers as too trivial. Take for instance Pelsaert, the Dutch traveller (1626 A. D.), who in his *Remonstranti* (edited by Moreland), Chapters xii to xv, has written on "The Manner of life", "Religious Superstitions", "The Hindu Religion" and "A Moslem Marriage in Agra". These chapters supply interesting facts. References to details by the European travellers and missionaries are helpful to the study of the socio-religious aspects of the Mughal Indian life but their general observations and theories should not be accepted without a critical scrutiny.

J. J. Modi of Bombay has done valuable work on the position of the Zoroastrian religion in the Mughal state. He was challenged by Karkaria, and a controversy continued in the contemporary journals for about a decade, but in the end Karkaria's

conclusions were found to be weak. (*Asiatic Quarterly Review*, 1898 and *Calcutta Review*, 1906-08). Sir Jadunath Sarkar's work on Āurangzeb is classical and it is a mine of information. But his book does not contain much systematic study of the religious currents affecting politics of the Mughals. In the third volume of *The History of Aurangzib*, he has devoted two chapters (xxvii and xxxiv) to the religious aspects but they are rather incidental references. In his two series of Readership Lectures on the Mughal Administration at the Patna University (1920), Sir Jadunath made observations on some religious aspects but they are often uncoordinated and not always based on any deep synthetic study of facts taken together. Sir Jadunath's conclusions have been viewed with suspicion by the Muslim scholars like Mr. Wahed Husain, Dr. Ibn Hasan, Mr. Faruki and Mr. Sadiq Āli as having been the outcome of an unsympathetic perspective. Even Dr. Parmatma Saran, in the Introduction of his recently published book, *Provincial Government of the Mughals* (pp. xvii and xviii) has remarked, "The spirit underlying the work of Sir Jadunath, as it seems to us from the author's method of treatment, betrays an unfortunate lack of sympathetic appreciation of the relative values of the mediaeval political institutions and environment in which they grew. Consequently, the conclusions that have been drawn appear to be unfair and present an undeservedly dismal picture of the effects of the Mughal administration on the people". To be fair to Sir Jadunath, we might say that his work supplies abundant materials for further

study on the various aspects of the Mughal India history when the Indian social life had been influenced by long association with the Muslim rule, life and culture for more than four hundred years. K. R. Qanungo's remarks on Sher Shāh's religious views are extremely flattering; Sher Shāh is credited by Dr. Qanungo with having introduced new elements into his system of administration by divorcing religion from politics as far as possible, which according to S. R. Sarma of Lahore, "Sher Shah never dreamt of pursuing". (*Indian Historical Quarterly*, Dec. 1936 on Sher Shāh's Administrative system). In course of his contribution to the Indian History Congress at Allahabad in 1937 (*Proceedings* pp. 368-375), Rama Shankar Avasthy challenged some of the data of Dr. Qanungo. Dr. Beni Prasad in his monograph on Jahāngir has devoted only five pages (pp. 430-434) to Jahāngir's religious views; though his references to sources of study are copious, yet some of his conclusions are often extremely fantastic. Dr. Sakṣena in his monograph on Shāh Jahān traversed a very wide field no doubt, but has made no systematic study of the religious aspects; Shāh Jahān's political actions were often coloured by religious motives and trans-Indian currents; they should have been studied in detail though there are occasional references (pp. 80-90, 295-98) in Dr. Sakṣena's book. Dr. S. K. Banerjee in his short article on the religion of Humāyūn in the Indian History Congress at Poona (1936) attempted to study Humāyūn's religion on the basis of Jauhar and Khwānd Mir and in the *U. P. Journal of*

Historical Society, 1936, he contributed an article on "Bābur and the Hindus"; he has traced the effect of Shi'ah forces on the religious views of Bābur and Humāyūn. Iswari Prosad's work, *The Mediaeval India* is written from a different point of view, and, within its scope, it is a fine work and is eagerly read by the students for its vivid expressions. R. P. Khosla's work, *The Mughal Kingship and Nobility*, though based on translated versions of native historians, is good in its own way, but religious aspects have been almost entirely neglected. Dr. R. P. Tripathi's work, *Some Aspects of the Muslim Administration*, though primarily concerned with the Sulṭānate period, has been brought down to the reign of Akbar. The book contains two valuable chapters on "Muslim Theory of Kingship" and "Turko-Mughal Theory of Kingship" which are connected with my subject. This work may be supplemented by Dr. Iswari Topa's book, *Politics in the Pre-Mughal Period*. Sarkar and Dutta's work, *A Text Book of Indian History*, is a voluminous catalogue of quotations based on printed works, and their observations on religion are written from the college students' point of view and add no new information to religious aspects. K. P. Mitra contributed an article, "The Jains at the court of Akbar" in the History Congress, Calcutta, 1940, which supplies more information than Dr. Smith does on the same subject in his *Akbar the Great Mogul*. In his *Evolution of the Khalsa* Dr. I. B. Banerjee has discussed the Sikh relations with Jahāngir with special reference to Gūrū Arjān,

which differs widely from Cunningham's conclusions. The Mughal-Sikh relations in the light of religion require study *de novo* as to the early Mahratta-Mughal relations. Dr. S. N. Sen's work on Shivaji and the Mahrattas supplies valuable though stray materials connected with my subject.

In the field of research on Indo-Muslim history, Muslim scholars, owing to their natural acquaintance with Persian and Arabic, are expected to have an advantage over other scholars in general. Recently they have taken to research in this field and have made some notable contributions on the subject. The *Islamic Culture* published from Hyderabad has done great service to the study of Indo-Muslim cultural history. Articles from Messrs. Sherwani, Basheeruddin, Hamidullah, Ashraf, Yusuf, Nazim, Rahman and others are generally good in their own way. Ibn Hasan's work, *The Central Structure of the Mughal Empire* contains some information which relates to my subject, such as "King and his position in the state" (chap. i), "King and the State Business" (chap. ii) and "Sadr" (chap. viii). But he has not discussed the subject of religion in its entirety and has omitted references to Aurangzeb. He traced only those points which are connected with the framework of the state machinery at the centre and not with the actual working of the ecclesiastical machinery at the extremities. His untimely death has unfortunately cut away a very promising scholar from the field of research on the Mughal Indian History. Wahed Husain, in his thesis for

Griffith Scholarship (Calcutta University) on *The Administration of Justice in Muslim India*, has supplied some valuable information on "The Judiciary" as a part of the *Shari'at* in Islām, and maintenance of *Shar'* being a binding duty of the state, the Mughal Emperors took personal interest in the administration of justice. In his *Theory of Sovereignty in Islam* Wahed Husain has failed to take into consideration facts of history and has indulged in mere theories which are no improvement on Arnold's famous work on *The Caliphate*. The Christian missionaries found everything wrong with the Mughals, and Wahed Husain has found everything wrong with the Christians. For the judicial aspect of Muslim administration, Basheeruddin's book is good but he has referred to matters, for which the materials being in manuscript only, are not ordinarily available; so judgment cannot be passed on them, nor could we verify them in all cases.

For the legal aspect of Islāmic rule, A. Rahim's *Jurisprudence* is an excellent and handy work, but sometimes he is too partial on points of interpretation of facts connected with the 'Abbāsīd ideals. Basheeruddin's article on the Political Theory of Islām in *The Islamic Culture*, 1934, has taken into consideration some Indian aspects of the subject as was done also by A. Ashraf in his widely known contribution to the J. R. A. S. B., 1935. H. K. Sherwani, in 1936, again discussed the same subject in *The Islamic Culture* and his observations are interesting. His work, *The Early*

Muslim Political Thought and Administration should be read by every student of Islāmic political institutions. Prof. S. R. Sarma has published a small book, *The Religious Policy of the Mughal Emperors* which is a catalogue of stray incidents affecting "the taxation, court ceremonies and social reforms" of the individual Mughal Emperors (Bābur to Āurangzeb), as is written in his author's note. But unfortunately the Mughal Emperors had no policy about religion as such ; mostly they took action as a matter of administrative convenience. Prof. Sarma lost sight of the background of those actions, and he did not discuss the extra-Indian forces and tendencies that determined the religio-political movements in Mughal India. He has merely given a catalogue of incidents without attributing them to their sources. His conclusions, though few, are very startling and are not fully borne out by facts so far as he had mentioned them.

None of the above works on the history of Mughal India was written from the broad standpoint of religion affecting the political events of Mughal India. In my work on the religion of Akbar under the title of *The Din-i-Ilahi*, I made an attempt to discuss the background of the religious movements of the Mughal Empire, both Indian and trans-Indian. I have tried to maintain continuity of the same method in the treatment of materials and synthesis of events in this thesis too. My thesis may fill up a gap in the history of Mughal India, which has escaped the attention of

almost all the scholars of the Mughal Indian history. In this thesis, I have subjected important events of the Mughal period connected with religion to a critical analysis and attributed the same to their fountain source. In order to have a true perspective of Indian Mughal history, movements of Islām and Islāmic forces in and outside India have to be studied. Take, for instance, the conception of kingship in Mughal India—it is a *Dar-ul-Islām* in the Islāmic sense, it is a *Khānate* in the Chaghtāi' sense, and it is a *Divine Monarchy* in the Hindu sense. It is interesting to note how the descendants of Timūr the *Amīr* became Bābur the *Padshāh*, Akbar the *Khalifātullāh*, and Shāh Jahān the दिल्लीश्वरो वा जगदीश्वरो वा (the lord of Delhi or the lord of the Universe).

My thesis opens with a description of the religious background of the Mughal State in terms of the *Bid for Honours* amongst the principal Muslim states in Persia, Turkey and Hindustan. Really the 16th century witnessed the growth of the very powerful dynasties within Islām, contiguous to each other, the 'Unthmānli, the Safawi and the Timūrid. In the absence of any central political organisation of the Brotherhood, the new dynasties aspired after the prime position of leadership. Though the power of the Khalifah was long defunct and with it the prophetic mission was shelved background, yet the halo of the great name was there still to conjure with. *The Khalifah is dead, long live the Khalifah* was the conception. The later mediaeval mind, in spite of the approaching modernity, clung to old heritage

especially when it was associated with religion. Further, the picture was the more confused because of the Shi'a-Sunni differences. The Mughal state drew inspiration from three different sources, Turkī, Arabian, and Iranian and all three ultimately blended into the Indian. Thus the Mughal state in India was some thing different from what Muslims are accustomed to notice in other parts of the Muslim world. The Turko-Afghan relations with the Baghdad Khalifas and the Egyptian Khalifas came in for a passing mention only from Sir T. Thomas Arnold.

Many of the events of the Mughal history otherwise inexplicable may be easily explained in the light of the contest between the Shi'ah and Sunni forces for the prime position of honour in the circle of contemporary Brotherhood of Islamic peoples.

In the second chapter, *Mughal Polity and its Legal Conceptions* have been discussed from the orthodox and the Indian stand points. Politics in Islām is an extremely interesting study; the Islāmic state defies all the theories that are propounded by modern writers on polity regarding the origin of the state. There is no word for state in Arabic language. The Muslim state in conception is divine and in practice it is human; the *Mullas* claimed that the state emerged out of divine ordination by *Isharat* (implication) and, as such they claimed to guide it, whereas the Muslim rulers often treated the state as a mere human organisation though they would administer it as agents of Allāh. The contest between divine agency and human agency in the

government of the land is an interesting feature of the Islāmic state.

Then comes *The Law in the State and its Applicability to Administration*. The law, as a modern man understands it, is but social conscience codified ; but in Islām, the Law (Shar') which is Allāh's Revelation, is to be interpreted in the light of the Prophet's traditions, the jurist's decisions and the learned man's pronouncements (Hadith, Fiqh and Fatāwa) ; and to all these in India was added the spirit of the deeply rooted customs and laws of the Hindus. As such, Muslim law could not be applied to the conquered Indians in its entirety and the Mughal Indian law of administration was something different from the laws that are found in other parts of the world governed by the Muslims.

In the third chapter, *Theological Organisation of the Mughal Emperors*, theological personages and their functions in relation to the Mughal state have been depicted. In Islām there is no provision for a priestly class. Every Muslim is expected to do his bit for the maintenance and propagation of Islām ; in fact, every follower of the Faith is a missionary. Yet the difficulty of interpretation of the Qur'ān which is the principal book of guidance for a Muslim in all stages of life, called forth the existence of a learned class able to interpret the same. Khalifah 'Umar was the first to found a college of six theologians who were recognised as official interpreters of the Qur'ān and Hadith. The state with its avowed duty of maintaining the Shar' looked upon the 'Ulamā' class with reverence and accepted their interpretations

as unimpeachable. Within a hundred years of the death of the Prophet the 'Ulamā' consolidated their position in the society and state and established a sort of hierarchy with duties individually assigned. The *Ṣadr-us-Ṣudūr* ; *Qaḍi-ul-Qudāt*, *Qādi*, *Mufti*, and *Mir 'Ādl* were the recognised theologians of the state. Each of them was to be maintained by the state and it was the duty of the *Sulṭān* to consult the 'Ulamā'. On the other hand, the executive officers like the *Subadār*, *Faujdār*, *Kotwāl* and *Shiqdār*, had also to perform some religious duties. But the Mughal 'Ulamā' did not look upon the Arabian Mufti, Sharif or Imām for their protection and privileges, as the Roman Catholic clergy did upon the Roman Pope for theirs. In fact, there was no demand and consequently no contest for the privileges between the 'Ulamā' and the secular state in Mughal India, as there was in England at the time of Henry II, in France at the time of Louis XIV, or in Germany at the time of the *Kultur Kampf* of Bismarck. Only in Akbar's reign there was a religious revolt of the Mallas in Bengal and Behar mixed up with politics, encouraged by Persia and supported by the dissatisfied Jagirdārs after the recital of the *Khutbah* by the Emperor himself and declaration of the *Mahdar* in 1578-79. It ended in the discomfiture of the 'Ulamā' class⁽¹⁾. In fact the relation between the State and Religion in Mughal India is an interesting study from the political point of view, as much as the political history from the religious point of view.

(1) For this context, see my work *The Din-i-Ilahi*, pp. 88-94

In the fourth chapter, *Personal Religion of the Mughal Emperors* has been narrated in details. Each Mughal Emperor was a type by himself. In the first chapter of the *Din-i-Ilahi* on the Central Asian Background, I described the special characteristics of every Chaghtāi' Āmīr, Timūr to Ākbar, from a cultural standpoint; here I have confined my remarks to the actions of every Mughal Emperor, Bābur to Āurangzeb, from a religious standpoint. Bābur was a free thinker, and mystic and was least sophisticated. Humāyūn loved nature, venerated light, and was more mystical than his father. Ākbar was extremely eclectic and impressionable with a Sūfi bent of mind who chalked out his own line of action. Jahāngir's was a different type of personality. He lived by moment, acted by fits and starts; and inconsistency and romance were the two main features of his character. Shāh Jahān's orthodoxy was more than compensated by his political sense; he stood between the liberalism of his father and the bigotry of his successor. Āurangzeb was a "Muslim with vengeance," whose principles and practices in politics require further study from religious standpoint. In spite of Sir Jadunath's caustic writings on Āurangzeb, inspite of Zahiruddin Farukī's white-washing brushes and inspite of Sadiq Ālī's *Vindication of Aurangzeb*, his religion and politics need further scrutiny. The trans-Indian forces, the non-Indian traditions, the influence of blood and eugenics have not been properly presented to show the part played by them in Āurangzeb's

decisions on religious matters. I believe Āurangzeb was not as bigoted as he posed to be; he had to continue *the cry of religion in danger* to maintain his position. In the end, he steadfastly clung to his professions as his physical powers and political position began to decline; but there was no going back as he had already gone too far.

The successors of Āurangzeb had no personality. They were too weak to enforce their religious views on the state and the people. From the study of the life and facts of the individual Mughal rulers, it may be concluded that they were essentially a band of compromisers who were ready to accommodate to tendencies from outside; and in their life except in Āurangzeb's, personal equation was a greater factor than any clean-cut principle.

In the fifth chapter, *Position of the Dhimmīs, the non-Muslim subjects of the Mughal Empire*, has been discussed in details. The Chaghtāi's became naturalised in India as were the Āngles, Saxons and Jutes in England. By intermixture of blood, they raised the conquered Rajputs to the position of "King's caste" as the Ānglo-Saxons did of the Britons. So the application of Arabian principles of treatment of the Dhimmīs was out of the question in India. I have discussed the status of the Dhimmīs in Islām as was defined by the Qur'ān, determined by the jurists and illustrated by the 'Umayyad and 'Abbāsīd Khalīfas. The Chaghtāi's had their own way of doing things. Their attitude towards the Dhimmīs and Musta'mans

was not worse than that of the contemporary Christian rulers towards the heretics in European countries. I have discussed the position of the conquered non-Muslim subjects and that of the *alien guests* so far as freedom of worship, building of temples and churches, representation in state service under the Mughals and socio-intellectual approach on both sides were concerned.

An Appendix A on the *Position of the Musta'mans* has been added. In this Appendix the relation with the non-Muslim guests or sojourners has been narrated.

In Appendix B on the *Jiziah*, the genesis of this old custom, its justification, its exemptions its rates and modes of payment have been discussed without reference to India. Portions dealing with India have been mentioned in their respective places.

In the sixth chapter, *Some National and Liberal Aspects of the Mughal Empire* have been presented. It is doubtful if the words nationalism and patriotism were understood by the Muslims of the earlier period in their modern connotation, though the words *Mulk* (country), *Qawm* (nation), and *Hubbu'l Watan* (love of country) were familiar terms in Arabic lexicon. The infiltration of non-Islāmic influences was so complete and political necessity was so pressing that the old ideas of life and government in Mughal India often changed yielding place to new conceptions as demanded by time and circumstances. I have discussed in this chapter points of mutual adoption by the Hindus and the Muslims in Mughal India of each other's laws,

dress, languages, manners, customs and socio-intellectual approaches, and have assigned their place in the development of a united Mughal India. The process of fusion began from the time of Humāyūn and though for a time checked by Āurangzeb, it could not be completely obliterated all at once. Had Dārā succeeded Shāh Jahān or if the Westerners had not supplanted the force of Indo-Muslim civilisation in India, the Chaghtāi's might have left to the East a heritage of which India might have been proud.

The seventh chapter ends with *Conclusions*. The universal role of Islām has been viewed historically and the Indian aspect of Mughal Rule has been particularly noticed. The theocratic nature of the Mughal State has been critically analysed and it has been found that the Mughal State was not a theocracy.

DIACRITICAL MARKS

Diacritical marks are highly disgusting and they often smack of pedantry. In fact, sound and voice differ according to the structure of the body; the climatic influence plays no small part in the formation of sound. No two countries have common sounds in all details of orthography and alphabet. The same letter is pronounced differently in different regions of the same country by the people of the same race. Difference is more visible in the case of a language of different races. Semitic sounds cannot be completely converted into Aryan sounds; only an approach may be made—that is why there is so much difference from time to time in matters of diacritical marks. The distinction in pronunciation

of ط-h and ظ-h, ب-t and ت-t, ف-a, ف-ā, غ-a and غ-ā

ط-h ḍ-dh, ظ-z, and ب-z; ط-s, ط-s and ت-th is often puzzling to any one whose mother tongue is not Arabic. Even they are often pronounced in a similar or different way according to the letter preceding or succeeding them. Again, according to

Vowel forms- ط(pesh)u, ظ(zabar)ā, ز(zer)ī the same letter is pronounced differently and as such diacritical marks differ.

In my work *The Din-i-Ilahi*, published by the Calcutta University, I avoided using those marks partly due to the difficulty of the pressmen and

partly due to a sense of difference in the method of pronunciation of the Indians, Arabs and Persians. In the present work I have used diacritical marks as given below. I confess, they are not and cannot be absolutely perfect.

The following are the English equivalents of Arabic alphabet used in this book :—

ا-a, ب-b, ت-t, پ-P, ث-th, ج-ch, ح-h, خ-kh, د-d, ذ-dh, ر-r, ز-z, ش-sh, س-s, ص-s
ف-f, ق-q, ك-k, غ-g, ل-l, م-m, ن-n, و-w, ي-y, 1

LIST OF ABBREVIATIONS

'Afif	=	Tārik-i-Firūz Shāhi
Ā.Ā.	=	Ā'in-i-Ākbari by Ābū'l Faḍl
Ā.N.	=	Ākbar-Nāmah by Ābū'l Faḍl
B. I.	=	Bibliotheca Indica
Bad.	=	Muntakhab-u't-Tawārikh by 'Abdu'l Qādir Badā'uni
Barni	=	Tārikhi-i-Firūz Shāhi
Beni Prasad	=	History of Jahāngir
Bev.	=	Ākbar-Nāmah translated by H. S. Beveridge
Bloch.	=	Ā'in-i-Ākbari translated by H. Blochmann
Lāhōri	=	Bādshāh-Nāmah by 'Abdu'l Ḥamid Lāhōri
F. Ā.	=	Fatāwā-i-'Ālmgiri
Ferishtah	=	Tārikh-i-Ferishtah
K. K.	=	Kitāb-u'l-Kharāj by Ābū Yūsuf
H. N.	=	Humāyūn-Nāmah by Gulbadan Begum
M. T.	=	Malfūzāt-i-Timūri
M. U.	=	Ma'āthir-u'l-Umarā
M. L.	=	Muntakāb u'l-Lubāb by Khāfi Khān
M. Ā.	=	Mir'āt-i-Āhmadi by 'Alī Muḥammad Khān
R. Ā. S.	=	Royal Asiatic Society
Qur.	=	Qur'ān
T. U.	=	Tadhkhīrat-u'l-Umarā
Tūzuk	=	Tūzuk-i-Jahāngiri

THEOLOGICAL NON-INDIAN SOURCES

Al Qur'ān: It is the fountain of all that Islām denotes and connotes. Even the worst of the apostates, or heretics could not dare say that the Qur'ān was not a revealed book. During the time of the third Khalifah 'Uthmān, the Qur'ān was published in its present form. According to the Muslims, the Qur'ān was the message of Allāh through His messenger Gabriel to His Rusūl Muḥammad bin 'Abdullāh.

According to some modern scholars, the Qur'ān contains two kinds of Revelations:—

- (a) occasional,
- (b) universal.

Occasional ones were revealed to meet the particular need of the hour, and between them differences cannot be fully understood unless one refers to the context (Shān-i-Nazūl).¹ Universal ones were of the nature of general propositions. The orthodox Muslims hold that it is the eternal book of guidance for mankind for all times and climes. Any thing that a man needs under any condition of life may be found in the Qur'ān.

The Qur'ān has been available to the English-knowing people through translations of Sale, Palmer, Pickthal, Muhammad Ali and Yusuf Ali. Sale's introduction is good; Muhammad Ali's comments

1. This view of two types of Revelations is not generally accepted by the orthodox group.

are partisan though systematic. Yusuf Āli is generally more rational.

Tafsir, or the Commentary of the Qur'ān is an interesting study. There are more than ten thousand commentaries of the Qur'ān. The Muslims of every Islāmic country have written commentaries, and the contribution of the non-Ārabs to the Tafsir literature is immensely large. The commentary of Fakhrū'd-Dīn Rāzī (at-Tafsir al-Kabir) is by far the most authoritative. Ās men of different races and nationalities wrote the comments in different times, the subjective element of the commentators predominate in matters of interpretation.

Hadith, or *the Sayings of the Prophet* are ordinarily known as the *Traditions* in Islām. What the angel Gabriel revealed to Muḥammad the Rasāl (the One sent by God) was explained by his speeches and actions. If the Qur'ān preached the tenets of Islām, Muḥammad gave the practices of Islām. Muḥammad is the Tafsir (commentary) of the Qur'ān and the Qur'ān is his Tasbir (replica)—so says Ā'yeshā. Of all the prophets, Muḥammad's life yields most to historical scrutiny. Every word that he said and every action that he did, have been recorded. He had seen life in every phase of it and his examples of life offer illustrations to a prince as well as to a peasant. Though the Qur'ān contains few references to state-craft directly, yet there is no denying the fact that Muḥammad found himself at the head of a political organisation after the battle of Badr. His actions in connection with

the brotherhood of Islām during the latter period of his life have been expanded into a political philosophy by the Muslim jurists. Thus the knowledge of the context of the Hadith is essentially necessary for having a clear idea of the origin of the Islāmic state.

Of the Hadith, that of Bukhāri is the most authoritative. He collected about 700,000 Hadith but ultimately he found only 9,000 to be correct. The author of *Tajrid-u'l Bukhāri* has further reduced them to 2,400 as absolutely correct. Prof. Hassan Ibrahim Hassan of Cairo says that the number of absolutely correct Hadith is only sixteen. There are other Hadiths collected by Muslim, Nasā'i, Ābū Dāwūd, Āt-Tirmidī, Ibn-Mājah, but they are not accepted by all classes of Muslims. The acceptance of one or the other tradition depends on the sect to which a particular Muslim belongs.

To the European readers, Wensinck's *Handbook, Early Muhammadan Traditions* and Winfield's *Key to the Dictionary of Traditions* are well known. But Ṭahir Sindī's book is excellent.

The Fiqh :—The Fiqh, or the juristic decisions of the early Muslims were often accepted as guides by the Muslim monarchs. The Fiqh literature has not been translated as yet systematically, though quotations have been made by different authors especially by the Muftis of the Maghal Empire.

The Jurists, or the *Fogaha* like the Imāms Ābū Hanifah, Shāfi'i, Mālik and Aḥmad Ibn Hanbal compiled Muslim laws. It is true that Islām should have no other political philosophy except what is

in the Qur'ān, yet out of necessity the Muslims had to develop different laws and regulations according to time, place and circumstances and they have been recognised as authoritative texts of guidance. Though Abū Hanifah was not an Arab by birth, his knowledge of the Shara' was unquestionable. The Hanafi law is recognised by the Sunnis as superior to other laws. The Fatāwa-i-'Ālamgiri is mostly based upon the Hanafi law. The Mālikī law along with local customs is followed by the Shi'ah and Muslim sects like Bohrās, and Ismā'ilians though the Hanafi and other laws are not openly rejected by them.

In Mughal India, the Hanafi law was recognised officially though decisions given according to other laws were not ordinarily challenged.

Fatāwa (Injunctions, pronouncements, opinions of the learned men) have their peculiar place in Islām. It is nothing but consensus of public opinion (Ijmā') On important occasions these Fatāwa were often used to legitimatise some *Coup de Etat* or some political expediency. Even a saint like Sarmad was found guilty by virtue of a Fatāwa. One of the reasons for the eminence of the Mulla class was the esteem in which their pronouncements were held, because the Prophet had said, "the learned of my community are like the Prophets of the Israelites."

THEOLOGICAL INDIAN SOURCES

Dabistān-i-Madhāhib—probably by Moḥsin Fāni ; it is an important theological source for study of the religious history of Mughal India. Moḥsin Fāni had a romantic outlook and there is a touch of romance in what he says. For the study of contemporary religious tendencies prevailing in Ākbar's time, and for the discussions of the 'Ibādat Khānah of Ākbar, the Dabistān is highly valuable. I have used the printed text of Nawal Kishore, Lucknow, and translation by Shea and Troyer (Ed. 1843 A.D.).

Safinat-u'l Āwliyā-by Dārā Shukoh ; it is interesting because it gives a clue to the mind of the prince who was saturated with the idea of Emperor Ākbar. It is a collection of lives of saints including those in the Mughal period up to his time. Prince Dārā personally made pilgrimage to the tombs of many of these Indian saints and he described his own mystic experience in course of the pilgrimage. The Asiatic Society of Bengal has a litho print text.

Majma'-u'l-Baḥrain by Dārā Shukoh ; it is the meeting of the "Two Seas"—the sea of the Hindu thoughts and the sea of the Muslim thoughts. Dārā was essentially a philosopher who was born a prince by mistake. His intention in writing this book was to find a synthesis between the two philosophies during the Mughal days. For a true perspective of the higher type of Indo-Muslim mind of the 17th century, the Majma'-u'l Baḥrain is invaluable. A text has

been printed by R. A. S. B., ably edited by Prof. Mahfuz-ul Haq.

Ākbār-u'l Ākhyār—by 'Abdu'l Haq Delhvi compiled in 1590 A.D. ; it is a collection of biographies of saints and scholars of India. The author was a contemporary to 'Abdu'l Qādir Bā'da'ūnī. A comparative study of the two scholars representing two opposite schools of thought is interesting. In Mughal India the existence of the orthodox and the liberal type of Islāmic mind side by side was an interesting feature. What the one lacked the other compensated.

Fatāwa-i-'Ālamgiri—compiled under instructions of 'Ālamgir ; it was intended to put into a proper form the various conflicting juristic decisions that had crept into the Muslim jurisprudence in India. Since the beginning of the Mughal period, majority of Muslims in India were Sunnis and the Hanafi Law was the accepted school of law in India. So Aurangzeb decided to systematise the Muslim jurisprudence in India with the help of a Jamā'at (assembly) of Hanāfi theologians. It contains juristic decisions, their criticisms, religious laws and usages and personal law of the Muslims. In it, the daily life of a Muslim as it ought to be, has been fully described. It is in Arabic, though the court language was Persian. The size of the Fatāwa has frightened the translators and it has not been translated in full. Baillie's Digest contains part of the Fatāwa-i-'Ālamgiri.

Majma'-u'l 'Ālmigiri—by 'Abdu'l Haq ; it is a corollary of the Fatāwa-i-'Ālamgiri and is very useful in making a study of the daily life of a Muslim.

NON-THEOLOGICAL SOURCES

(a) Political theories:

The Qur'ān being the only book of guidance, all other philosophical, or legal texts relating to guidance of human affairs are claimed by the Muslims to be nothing but deductions from the Qur'ān. In Islām actions came first and theory followed next. Pure political theory came only late in the days when Islām had come into contact with other political organisations in the East and the West. The Muslim rulers in order to find support for their political actions commanded the Mullas, who were the custodians of the Shar', to find justification for their conduct, as ways the Qāḍī Abū Yūsuf asked to do by Hārūn-a'r-Rashīd. Thus, we find that the early development of political literature came through the hands of the theologians and not of the statesmen. Hence a touch of religiosity runs through the political works of Islām.

Sulūk-u'l Mulūk by Faḍl Ibn Rozabāhān Ispāhānī—The manuscript in the Royal Asiatic Society Library at Calcutta is not in a satisfactory condition. The author Faḍl was a Hanafi. Though a book of law and jurisprudence, it discusses amongst other things, the structure of a Muslim state. This treatise was written in response to a request of 'Ubaidullāh Khān Uzbek.

Dhakhirat-u'l Mulūk by 'Alī Ibn Shaḥāb Hamlānī—Though the background is ethical the book

deals with different topics of the structure of the Islāmic state. The chapters on the conception of Khilāfat are excellent (specially chapters five and six). About the date of the authorship there is a controversy, but the general view is that it must have been written earlier than the 9th century A. H.

Sulūk-u'l Sāltanat by Imām Ghazzālī—It is a small work of the eighth century and has been translated. The author is possibly the most reputed Muslim scholar known for his catholicity of views. He is essentially a philosopher who was caught in the whirlpool of dirty politics. His work deals with the art of government but it is rather an abstract.

Khiṭaṭ by Maqrizī—It is a book of finance. The author is famous for spectacular generalisations. He quoted a tradition that the Khilāfat would end within thirty years of the Prophet's death, and after that would come the rule of kings. The Khiṭaṭ has been profusely quoted by European authors.

Kitāb-u'l Kharāj by Abū Yūsūf—It is a book on revenue. Its French translation by Fagnan is popular. While at Cairo, I used the Arabic original Mss. in the Timuria Library, Bab el Khalq, Cairo.

(b) Biographies :—

Malfūzat-i-Timuri—Autobiography of Timūr. Some scholars doubt if Timūr wrote it and they attribute the authorship to Saifu'd-Din. Any way, it must have been written under his inspiration and instructions. From the point of view of Turki manners and customs, it gives some interesting details. For a study of the background of Chaghtāi'

history, a detailed knowledge of Timūr and his time is essential. Timūr's conception of Khilāfat, of his autocratic kingship, and of his relations with the Sultāns of Rām, may be found in it. So far as Persia was concerned he conquered the minor dynasties of Ispāhan, the Mazaffarids and Kirt Mālikis. His speeches on the eve of each expedition and the religious urge that accompanied it may be read with interest. They show how the Chaghtāi' conqueror utilised religion for a political purpose. The translation by Davy is popular.

Tūzūk-i-Bāburi—Autobiography of Bābur. The original was in Turķi. It was translated into Persian during Ākbar's time by 'Abdu'r Raḥīm Khān-i-Khānan in 1589 A. D. Bābur narrated frankly the details of his life which included his beliefs in prayers, in witchcrafts, witches and omens; his wine cups and revelries have been gloriously paraded in it. He mentioned the destruction of temples at Ājodhya and at Gwalior but he claimed that the destruction was done due to the nudity of idols therein. R. B. Williams in his *An Empire Builder of the 16th Century* has utilised the Tūzūk in full. Mrs. Annette S. Beveridge has translated it from a Turķi text of Hyderabad manuscript.

Humāyūn Nāmāh, also known as Gulbadan Nāmāh—It was written by Gulbadan under instructions from Ākbar for supplying materials for 'Abu'l Faḍl. She was a daughter of Bābur by his wife Dildār Begum and was with Humāyūn since her eighth year. Her Husband was a Chaghtāi' noble, Khidr Khwājah. She died at the age of eighty-two. The

details in her book are authentic because she had seen the events of the life of Bābur and Humāyūn. In so far as the religion of the two emperors and their relations with Persia are concerned, the details of her record are very useful. The work has been translated from the only available manuscript in the British Museum by Annette S. Beveridge. Her notes are valuable.

TRAVELS

Sidi 'Ali Pāshā—He was a Turkish envoy. His work was translated by Vambéry. It contains references to the claims to supremacy and honour laid by the 'Uthmānlis and the Chaghtāi's.

Safar Nāmah by 'Abdu'l Laṭīf—The author was a servant of Mir 'Abū'l Hasan who held the post of a governor under Jahāngir for some time. His travels record interesting details of countries he crossed in the course of his journey from the Gujarat to Bengal. Temples and their descriptions form a large part of his book.

Accounts of the European travellers are very important sources of information for construction of the religious or social history of India during the 16th and 17th centuries. Muslim historians, excepting only a very few, are more or less cataloguers of events. They recorded only noticeable events connected with wars, intrigues, victories, defeats and some startling incidents connected with the lives of kings, queens, princes and nobles. Events connected with the daily life of the common folk hardly formed their subjects of study and record. We are indebted to the European travellers for their attention to the ordinary events of the ordinary men. Though their angle of vision was exclusive, they recorded facts more or less faithfully when they did not concern the question of conversion of the Mughal Emperors. V.Ā. Smith put too much stress on the versions of the

European writers ; but we have critically examined their records in general ; readers must be warned beforehand of the danger of relying too much on the unverified versions of the Europeans (See Introduction to *The Din-i-Ilahi*, pp. xxxi-xxxviii). The European records supply us with important information concerning our present thesis. Take, for example, Palsaert (*Remonstranti*, 1620 A.D.). Though a very short sketch, it is full of interesting facts concerning the manner of life (pp. 66-69, Moreland's edition), the religious superstition (p.p. 69-76), Muslim marriage at Āgra (pp. 81-85), regulations prohibiting cow slaughter and contemporary Hindu religion. All these are of peculiar interest to the student of Indo-Muslim religious facts and currents.

Pietre Della Valle (1623 A.D.) speaks highly of the freedom of conscience enjoyed by the non-Muslims in India. Respect for Hindu sentiments was illustrated by the prohibition of cow slaughter in Cambay. His description of cities is accurate.

Peter Mundi (1628 A.D.) made important observations on Hindu society and religion, and he is very useful for the purpose of our thesis. He described the manner of 'Id celebrations, Minābāzār, and Naurūz festivities ; his description of marriage processions of princes is beautiful. Shāh Jahān's order for demolition of temples in Benares is graphically narrated. His statements are, however, sometimes incorrect, *e. g.*, when he says that Nārjahān was the mother of Shāhjahān.

Manrique (1629 A.D.) travelled from the Deccan

to Qandahar. His description of Ārakan and his reference to the social life of Indians during this period offer delightful study. Mass education through temples, mosques and monasteries was a feature of intellectual life in Mughal India. As in the case of many other travellers, his knowledge of political events is often inaccurate.

Mandeslo (1638 A.D.) gave a vivid description of the festivals of Naurāz at Āgra. Emperor's weighing ceremony was celebrated with great splendour. Hindus were not to appear on the street in times of religious processions like Muḥarram.

Tavernier (1640 A.D.) was a commercial traveller ; his records of precious stones, of stone-merchants and Shāh Jahān's love for stones offer interesting details. His references to social life corroborate Bernier's.

Bernier (1658 A.D.) was a medical man by profession. He was patronised by Dānishnand Khān. He was bitter against the nobility of the court, who according to him, were tyranny personified. He was attached to the royal house as a physician and thus some of his informations are correct. He recorded Shāh Jahān's order for the demolition of temples, Āurangzeb's suggestion regarding change in the manner of offering *prayer*, and Āurangzeb's accusation of Shāh Jahān for training his sons in the conventional way.

For details, the following works may be used profitably :—

- (1) Monserate's accounts of Ākbar (1582) published in the *J. & P. of A.S.B.*, 1912.

- (2) Hawkins (1608-1613), Early Travels in India, edited by Foster.
- (3) Thomas Roe (1615-1619), Embassy to India, edited by Foster.
- (4) Palsaert, Jahangir's India, Trans. by Moreland.
- (5) Coryat (1614-1617), Early Travels in India, edited by Foster.
- (6) Bernier (1656-1668), Travels in the Mughal Empire, edited by Archibald Constable.
- (7) Tavernier (1641-1667), edited by V. Ball.
- (8) Manrique (1629-1643), Eng. trans. by Hakluyat Society.
- (9) Withington (1612-1616), Early Travels in India, edited by Foster.
- (10) De Laet (Compilation, 1630-1632), Description of India, translated by Hoyland and Banerjee.
- (11) Manucci (1640-1653), edited by Irvine in 4 vols.
- (12) Peter Mundi, Hakluyat Society, edited by R. C. Temple.
- (13) Piatre Della Valle, Travels, edited by Grey, Hakluyat Society.
- (14) Mandeslo, A complete collection of his voyages & travels by John Harris.

Non-Theological Indian Sources

Qanūn-i-Humāyūnī (also known as Humāyūn Nāmah) by Khawnd Mir. The work has recently been published by the Royal Asiatic Society of Bengal. It contains valuable information on

Humāyūn's views on astrology, and his beliefs in supernatural agencies of light, stars and numerals (up to Twelve). In the eighth chapter, interesting accounts have been described regarding anniversary festivities.

Tadhkirāt-i-Waqi'āt (or Humāyūn Nāmah) by Jauhar. He was Āftābchi or "cwer-bearer" of Humāyūn ; He wrote under the command of Ākbar to supply material for Ābū'l Faḍl. He was all praise for his master and held that his master was infallible and as such could not do anything reprehensible. Jauhar was no scholar and his narrative is simple ; he is thus free from unnecessary hyperboles and obnoxious eulogy so common amongst court-writers. This book does not give any information regarding Humāyūn's religious life, but his versions indicate that Humāyūn was not treated with great respect by Shāh Ṭahmāsp though Ābū'l Faḍl tried to convince his readers that the relation between the exiled Pādshāh of Hindusthan and ruling Shāh of Persia was one of friendship and equality. But it has all the faults of mere cataloguing. It was translated by Stewart in 1832 in an unsatisfactory manner. Elliot and Dowsen's summary on Jauhar's life in Vol. v, pp. 136-149, is good.

Ākbar Nāmah and Ā'in-i-Ākbari are the two most important works on the Mughals in India. The Ākbar Nāmah is historical and the Ā'in-i-Ākbari is an appendix to the former, and it deals with institutions. It is useful as an administrative manual for Ākbar's time.

Ābū'l Faḍl will live in his Ā'in-i-Ākbari. No one

scholar can work on the religious and institutional life of Mughal India without the *Ā'in-i-Ākbari*. The advantage of *Ābū'l Faḍl* was that he was the man who was responsible for the development of many of those institutions which he described. The spirit of the system was in his mind, the details were in his brain and execution was under his command. His expressions were lucid though verbose. Both the volumes must be studied together in order to have a thorough grasp of India of the glorious Mughals. Though *Ābū'l Faḍl* promised to write a separate volume on *His Majesty as the Spiritual Guide to his Subjects*, and a cruel member did not permit him to fulfil his desire, yet the *Ākbar Nāmāh* and the *Ā'in-i-Ākbari* contain valuable references to the religious aspect of the Chaghtāi' state in India. His political philosophy and religious dissertations are unique amongst the Muslim writers of India. In the *Ā'in-i-Ākbari*, the fifth chapter deals with Hindu literature, institutions, etc. The sixth chapter on the *Happy Sayings* of *Ākbar* is invaluable for the study of *Ākbar's* character. We have seen an excellent copy of the *Ā'in-i-Ākbari* at Monghyr with the Keeper of the *Rahmaniah* Mosque about 300 years old, well-illustrated and pictured. Pictures look fresh as if they were drawn yesterday. Illustrations are of excellent value. The Ms. in the *Khuda Buksh Library* was copied in *Aurangzeb's* time.

The *Ākbar Nāmāh* has been translated by H. Beveridge in the *Bibliotheca Indica* series.

Muntakhabu't Tawārikh by 'Abdu'l Qādir Badā'ūni—The book has been published both in

original and in translation, Vol. I by G.S.A. Ranking, Vol. II by W.H. Lowe, and Vol. III by T. W. Haig. A part of this work has also been translated separately by E. Rehatsek, Bombay in 1866, under the title *Tewhhyd Elahy Akbar Shahy*. It was written by one who was connected with the court as an Imām. He was a theologian per excellence with all usual defects of exclusive attention to theology. He gives details on Akbar's life and court, and on the personalities in contemporary India, more from the standpoint of religion than from that of history. In discussing the religion of Akbar, his work is valuable though he dared not to publish the work during the life time of Akbar. It is a useful compendium for the study of *The State and Religion in Mughal India*, specially as an illustration of the orthodox point of the Mallas. Short sketches of lives of Muslim scholars and theologians of contemporary India are given in Vol. III.

Ṭabaqāt-i-Akbarī (also known as Tārikhi Nizāmi) by Nizāmu'd-Dīn Aḥmad Bakshī, who was the chief paymaster of Akbar; it comes down to 1594. The work has been more or less a chronology, and Nizāmu'd-Dīn has purposely avoided the religious side of Akbar's life. It was first published by the *Nami Press*, Lucknow, in 1175. Mr. B. De, I.C.S. has translated the work; it has been published in the *Bibliotheca Indica* series.

Tadhkirāt-ul-Mulūk by Rafi'u'd-Dīn in the time of Jahāngir. So far as the Deccan was concerned, his work supplies many factual details. The contest

between the Indians and the Safawis is well described, and incidentally the position of the Shi'ah practices in the South. Some references to the religious beliefs of Ākbar and Jahāngir may be found in it. The style is simple without the usual metaphors of the Persian language.

Intikhāb-i-Jahāngir Shāhi—Elliot and Dowson have translated extracts in Vol. VI, pp. 447-52. It is a good authority on Jahāngir's charities and on details of his private life. Though the author does not mention his name, we may surmise that he was a devoted servant of Jahāngir.

Iqbāl Nāma-i-Jahāngiri by Mu'tamad Khān—Jahāngir personally wrote his memoirs up to the 16th year. His health began to fail and he entrusted the work to his Bakshi Mu'tamad Khān, who wrote it under the emperor's personal supervision until the 19th year. From the 19th year, Mu'tamad Khān continued the work independently. It was completed by Maulānā Hādi. So the work has three authors namely Jahāngir, Mu'tamad Khān and Maulānā Hādi. Mu'tamad Khān had the advantage of direct approach to the contemporary events and is correct in details. The way in which he described the events of the great plague shows that he was rather superstitious. The *Khuda Buksh* Library Ms. (No. vii, pp. 560-61) does not contain Hādi's portion. Bibliotheca Indica's volume published in 1865 was edited by 'Ābdu'l Hayi and Āḥmad 'Āli; Elliot and Dowson have translated a part of it in Vol. VI. pp. 363-438.

work knowing that Aurangzeb did not approve of it. Sometimes he was bitter on Aurangzeb. This has made him rather popular as a narrator of truth. But Prof. Sri Ram Sharma has laboured hard to prove the wholesale plagiarism of Khāfi Khān and branded him as an impostor. But the arguments of Prof. Sharma cannot be fully accepted. They require further investigation. The Royal Asiatic Society of Bengal published it (B. I. series) in 1869. The language is clear, powerful and simple. The portions in connection with Aurangzeb may be found translated in Elliot and Dowson, Vol. VII, pp. 207-10.

Chahār Chaman—The author is a Hindu Brāhman named Chandra Bhān. He is one of the foremost Persian scholars amongst the Hindus. He occupied a very trusted position under Shāh Jahān. He filled up posts of Mir-i-Sāman, Diwān-i-Kūl and Wāqī'a Navis (the steward of the household, the chief Diwan and the court-writer). He was for some-time in charge of the draft of Farmāns and was thus actually in the know of details. His life may be found in the Mā'athir ul Umarā, Vol. I, pp. 145-51. His famous work Chahār Chaman may be called the Akbar-Nāmah of Shāh Jahān's reign. The 1st and 4th chapters are important. The former deals with the daily life of Shāh Jahān and the latter with moral and religious regulations.

The Chahār Chaman mentioned the personal aspect of Shāh Jahān's reign, so far as the anti-Hindu farmāns were concerned. In 1795, a part of this work was published in Gladwin's *Munshee*

under the title of *Qowayid us Sultannat Shah Jahan* or the rules observed during the reign of Shāh Jahān.

Guldasta-i-Sultānat by Chandra Bhān—The author described the daily life of Shāh Jahān. It contains details of the festivities of the court, feasts of lamps, 'Id celebrations, *Jharoka-i-Darshan* (Royal Presence on the Balcony), Chahār Taslim (the four salutations) and the Ghusal Khānah (the Bathroom) amongst other things. It may be regarded as a supplementary volume of the Chahār Chaman.

Mirāt-i-Āhmadi by Āli Muḥammad Khān (1761)—It is a very compendious history of Gujarat, one of the most important provinces of India from the earliest times to the conquest of Āhmād Shāh 'Abdālī in 1761. The work ends with a description of the lives of the saints, Sayyids and holy men buried there ; we find the Hindu temples and shrines described not in hatred but in an appreciative tone. It also furnished information on geographical features of the country—its rivers, mountains, ports and cities. Officially, it recorded some important Farmāns relating to the duties of officials, both secular and spiritual. Āurangzeb was in the Deccan for about a quarter of a century and his contact with the southern provinces is an interesting study. His attempts to restore Islām in Gujarat and the opposition encountered by the state officials, illustrate the spirit of antagonism that was roused amongst the two rival communities at the fag end of Āurangzeb's reign.

The book was published from Bombay in 1888

by 'Alī Aḥmad Khān; The *Gaikowad Oriental Series* No. 50, edited by Syed Nawab 'Alī is good. Major Bird has added his notes and annotations to a publication known as *The Political and Statistical History of Gujarat*, London, 1835. The *Khuda Buksh Library* Ms. No. vii, p. 611, is a specimen of beautiful calligraphy, dated 1189 A. H.

Mirā't-i-'Ālam Muḥammad Baqa (not by Bakhtawār Khān as is generally claimed)—Its scope is very wide but only a small portion of it is devoted to India. It gives some interesting details regarding Aurangzeb's charity, his life and his personal habits. This portion may be found translated in Vol. VII. pp. 156-63 by Elliot and Dowson. The *Royal Asiatic Society* of Calcutta has a good manuscript.

Bādshāh Nāmah—There are seven historical works known by the common title of Bādshāh Nāmah—by Āminā'ī Qazvini, by 'Ābdū'l Hamid Lāhōri, by Ṭahir (generally known as 'Ināyat Khān), by Kalim, by Wārith, by Ṭabāṭaba'ī and by Mu'tamad Khān. Āminā'ī Qazvini began his work in 1635-36 and it contains the history of the first ten years of Shāh Jahān's reign. His style is simple and easy to follow; but Shāh Jahān did not like his style and commanded 'Ābdū'l Hamid Lāhōri to write a fresh Bādshāh Nāmah in imitation of the style of 'Ābū'l Faḍl. He wrote the history of Shāh Jahān for the first 20 years. After him Muḥammad Wārith compiled Shāh Jahān's history from the 21st to the 30th year. He was killed by one of his students in 1680 A. D. All these three authors give official accounts; as they were in

the service of the Emperor, but none could give his best. Ṭabāṭaba'i confined his narrative to the early years of Shāh Jahān. He is picturesque in style but incorrect in details. Āmināi' Qazvinī was a superstitious man and he ascribed the early troubles of Shāh Jahān's reign to unfavourable stars. He gives a list of the pro-Muslim regulations during the early years of his reign. 'Abdu'l Ḥamid was a scholar and had a wonderful command over language almost equal to Ābū'l Faḍl. His was a voluminous work and has been published by the Royal Asiatic Society of Bengal containing about 1600 pages. He described the anti-Hindu regulations with great glee and always sought to justify them and he glorified his Emperor with a divine touch. Wārith followed Lāhōri but his value is that of a mere narrator.

The *Khuda Buksh Library* at Patna contains three other Bādshāh Nāmas. Ṭahīr (also known as 'Ināyat Khān), who was the royal librarian, wrote a supplementary volume on Shāh Jahān's reign dealing with finance. It gives interesting glimpses on Shāh Jahān's literary excellence. Kalīm's Bādshāh Nāmah is in verse and was written during the last part of Shāh Jahān's reign and is incomplete (Ms. vol. iii, p. 316). Mu'tamad Khān, who was long associated with Jahāngīr, wrote a Bādshāh Nāmah at the fag end of his life when his intellectual powers had declined. Lāhōri's Bādshāh Nāmah has been published in the B.I., edited by Kabiruddin Āhmad and Ābdul Karīm. The *Khuda Buksh Library*. vol. vii, no 365, is defective.

'Ālamgir Nāmah by Munshi Muḥammad Kāzim, son of Muḥammad Āmināi' Qazvini, author of Bādshāh Nāmah—The author was a Munshi of Āurangzeb in the first year, then a Waqī'ah Navis, and then a Dāroga-i-Ittilā-Khānah. He was entrusted with the recording events of the first ten years of Āurangzeb's reign. This book has been published in B.I. Series, Calcutta (1865-1873), edited by Husain and Haiy. The *Khuda Buksh Library* has got a manuscript copy which is not very old.

Hatim Khān has abridged Kāzim's work under the same title of 'Ālamgir Nāmah but he did not complete it.

Sir Jadunath Sarkar utilised a considerable amount of available Persian materials to write his *History of Aurangzeb*. He utilised the materials with sufficient labour and patience and deserves the laurel of a pioneer.

Siyār ul Muta-khkhariin by Ghulām Hussain Khān Tābatābā'i—it is a history of India from 1707-1781 and was completed in 1781. It is divided into three chapters:—

1. From Āurangzeb's death to Nadir Shāh's invasion (1707-1739.)
2. History of Bengal from the death of Shujā'-u'd-dawlāh (1739)
3. History of India is again continued from 1740 and brought down to 1781.

There is a concluding chapter in which remarks have been made on Āurangzeb's character and an account of his capture of Bijapur and Golconda has been given. The details are not

faultless they lie buried in the midst of the mass of materials. Some important side lights on social and religious institutions may also be found there.

This voluminous book was translated in 1789. Messrs. *Nawal Kishore* of Lucknow have a printed text.

An abridged edition called *Mulakhkhas-u'l Tawārikh* or *Zubdat-u'l Tawārikh* has been compiled by Farzand Ali Husain of Monghyr.

INDIAN BIOGRAPHIES

Tāzūk-i-Jahāngiri—It is Jahāngir's auto-biography, also known as *Jahāngir-Nāmah*. This interesting work is divided in two volumes : the first volume comes up to 1617 and the second up to 1624 A.D. After 1624 A. D. Jahāngir was unable to write any more in his own hand owing to loss of capacity due to over-drinking. The latter portion of the work was completed by Muṭamad Khān Bakshī, and Muḥammad Hādī. There are many versions of the work but that one of Sir Syed Ahmad Khan (1864) from Aligarh is the most authoritative (*Khuda Buksh Ms.* No. vii, p. 557) The work was translated by Alexander Rogers and was edited by Henry Beveridge. This translation is very good. The first volume was published in 1909 A.D. and the second in 1914 A.D. by the *Royal Asiatic Society* of London. The translation of David Price, dated 1829, is based on a spurious Ms. Elliot and Dowson have made partial translation, *vide* Vol. VI, pp. 276-391. In this work, the religious practices of the Emperor

have been recorded and also some other details in connection with state patronage of religion, especially his discussions with Jadrūp *pandit* and Christian fathers. The details on conversions and destruction of temples made during his reign, his peculiar belief in astrology and his attitude towards other religions may be read with advantage in the *Tāzūk*.

Ma'āthir-i-Raḥimī or life of 'Abdu'r Raḥim Khān Khānān by Khwājah Baqī Nihāwāndī compiled in 1616 A.D.—'Abdu'r Raḥim Khān Khānān was the embodiment of Indo-Muslim culture of the early Mughal India. The cultural side of the Khān forms an important landmark in the eclectic culture of the period. His patronage of Hindi poets is a noticeable feature. The fourth chapter deals with mosques, colleges and baths built by him. There is an excellent manuscript in the *Royal Asiatic Society Library*, Bengal, which has published a text edited by Muhammad Hidayat Husain in the B. I. Series.

Tadhkirāt-u'l-Umarā by Kewāl Rām—It is another valuable biographical dictionary which contains a short history of the nobles and Āmirs of the Empire (1194 A.H.). It may be utilised for a detailed knowledge of the works that were entrusted to each great officer of the Empire. Kewāl Rām treated the Hindu and Muslim Āmirs separately unlike Shāh Nawāz Khān.

The Ānjamān-i-Taraqqī-i-Urdū of Hyderabad has published a list of the Āmirs of Hindustan named Umarā-i-Hanūd collected from Ma'āthir-u'l-Umarā, Tadhkirāt-u'l-Umarā and Mir'āt-i-Āḥmadi and from contemporary Persian histories. Personal religious

practices of some of the nobles may be found in this book. Unfortunately, it mentioned no references and its figures differ widely from those in other sources like the *Ā'in-i-Ākbari* or the *Mā'athir-u'l-Umarā*.

Mā'athir-u'l-Umarā by Shāh Nawāz Khān Shams-u'd-Dowlāh—It is a very well-known biography of the grandees of the Mughal Empire (1742-1747). The author was fortunate in having a son 'Ābdu'llāh Khān who supplemented his father's great biographical dictionary and has put it in the present form. It contains valuable details concerning the nobility which may be used as a back-ground for a non-political history of the Mughal period. In that sense it may be taken as a corollary to 'Ābdu'l Qādir Badā'uni's third volume of *Muntakhābu't Tawārikh*. The chief defect of the work is that it contains no references to sources. The R. A. S. B. has published it in 3 volumes and part of it has been translated by Beveridge and Baini Prasad. for the *Royal Asiatic Society* of Bengal. Blochmann has utilised the *Mā'athir-u'l-Umarā* in his biographical notes in the *Ā'in-i-Ākbari*.

LETTERS AND FARMĀNS

Ākhbārāt, or news letters, or *court bulletins* are important sources for getting unalloyed versions of daily transactions of the courts. The Mughals used to appoint clerks to copy out every order that was passed with date, month and year of the reigning monarch. Every sheet began with *Ākhbārāt-i-Darbār-i-Mu'alla*. Even a province had its *Ākhbārāt* and some local states also had their

record department. Many of them have been destroyed by insects. Some are in the *Royal Asiatic Society, London*. The Jaipur State maintains a good collection. The Hyderabad archives possess a variety collection of *Ākhbārāt* specially after 1724 A.D.

The value of these *Ākhbārāt* lies in the unconsciousness of the proceedings and recordings. They reveal the inner workings of the system. Almost every detail that a historian might require as information regarding the Mughal Empire may be found in the *Ākhbārāt* there. For the purpose of this book, the *Ākhbārāt* supplied references to personal lives of the kings and princes. From Bābur to Muḥammad Shāh there were about 2000 births in the Timūrid line. Separate palaces were built for the members and grants were made to each of them for his marriage. The style of living of the kings and names of the members of the royal family, their food and drink, their contests for thrones, ceremonies of coronation, appointments, dismissals, promotion of officers, orders for demolition of temples, protection of mosques, grants to theologians and scholars and many other things may be found in the *Ākhbārāt*. In fact, every detail from birth to death is given there often with human touches. The king sometimes attended the sick-bed of a noble, sent him medicine, attended his funeral and made provision for his family. Even dreams dreamt by the Emperors were recorded. What a wonderful sea of materials are these *Ākhbārāt* !

Dr. Kumar Raghubir Singh has published some of these *Ākhbārāt* and Sir Jadunath Sarkar has done

a service by getting transcripts from London. They should be printed in extenso.

The Jaipur State, which was connected with the Imperial Mughals in various capacities for a long time, has a good collection of these records. Relation between the Rajputs and the Chaghtāi's may be studied a second time in the light of the Jaipur Records.

The Jodhpur Records though not complete as yet, have been occasionally discussed in the Historical Records Commission and the Indian History Congress by Sardar Bishweswar Nath Rau.

Ruq'āt-i-Ābū'l Faḍl :—These letters were written in a very circumlocutory manner. After his death during the life of Ākbar these letters were collected by his son (according to some by his son-in-law) 'Ābdu's Samad. For a long time these Ruq'āt were selected in Madrasas for models of style. Dr. Smith refused to recognise the value of Ābū'l Faḍl's letters. But recently they have attracted the attention of historians. In reply to a letter of 'Ābdu'llāh Khān Uzbek charging Ākbar with apostasy, Ābū'l Faḍl recorded the official declaration of Emperor's Faith in Islām. Such important references are not rare in the Ruq'āt-i-Ābū'l Faḍl.

Āḥkān-i-Īḥāmidu'd-Din, Dastūr-u'l-'Āmal and Ruq'āt-i-'Ālamgiri—All these three are more or less the different versions of the same thing. 'Ināyat-u'llāh Khān, who had filled up important positions in the reigns of Āurangzeb, Jahāndār Shāh, Farrukh Siyar and Muḥammad Shāh collected the orders and Farmāns issued to the princes and Āmirs at different

periods. He was a Waqī'ah-Nigār and a Diwān-i-Tān of Āurangzeb; a Nāẓim at the time of Jahāndār Shāh; a Diwān-i-Khalsah, a Diwān-i-Tān and a Subadār of Kashmir at the time of Farrukh Siyar; and a Mir-i-Sāmān and a Nā'ib-Wazir at the time of Muḥammad Shāh. He had intimate knowledge of the Mughal Court (1653-1726) (for his life see Mā'athir-u'l-Umarā, Vol. I, p. 831) and his collections are very valuable. The *Khuda Buksh Library* and R. A. S. B. possess these manuscripts.

Sir Jadunath Sarkar has published a collection of anecdotes incorporating the Farmāns of Āurangzeb under the title of *Āḥkām-i-Ālamgiri*. But it is only a part of the above-mentioned work. In his introduction (p. 32), Sir Jadunath Sarkar ascribed the authorship to Ḥāmidu'd-Din. Is he the same Ḥāmidu'd-Din referred to in the *Ma'āthir-u'l-Umarā*, Vol. I (K. B. Ms. 00.605-611)? It requires more investigation. The *Āḥkām* of Ḥāmidu'd-Din contains information regarding Āurangzeb's relation with Gūrū Govinda Singh, imposition of Jeziah, Farmāns prohibiting the appointment of Hindus as Subadārs and Foujdārs, his judicial procedure and occasional notices of Europeans.

Farmān-i-Muḥammad Shāhi—It contains some letters granting stipends to scholars, theologians, Imāms and Mu'adhdhins (who call believers to prayer). Provisions were made for fees for lawyers, and expenses for lights on the tombs of saints and for supply of water to the thirsty travellers. Even a grant made by Āurangzeb to a Hindu astronomer, Malhar Bhatt, is also mentioned there.

Synopsis

CHAPTER I

THE BID FOR HONOURS

Khilāfat the arch-stone in the organisation of the Muslim Brotherhood; the Honour; 'Umayyad drive; 'Abbasid bid; the Unity breaks; Neo-Muslim States; their relation with the Khilāfat of Baghdad; Khalīfah an ornamental figurehead, yet tradition continued.

Timūr's challenge; his coquetry with Khilāfat honours; the 'Uthmanī bid; the Ṣafawīs held balance; their triangular contest in the 16th century for honours—Shī'a-Sunnī feud *alias* Perso-Rumi feud.

Bābur and Humāyūn in relation to 'Uthmanīs and Ṣafawīs; Akbar overthrew politico-religious pretensions of both Persia and Constantinople; Akbar faced with opposition from the orthodox section but survived. Jahāngīr and Shāh Jahān in relation to Rum and Iran; 'Uthmanīs ready to take advantage of any ugly situation of the Timūrīds; Qandahar the apple of discord between the Ṣafawīs and Timūrīds; Duel of adjectives; Aurangzeb though orthodox yet steady in maintaining family tradition; bid for honours a feature all through; Khilāfat traditions *cum*-Timūrīd traditions maintained; Islām no longer interested in mere shadowy honours; new problems; later Mughals too impotent to make their position felt.

CHAPTER II

THE MUGHAL POLICY AND ITS LEGAL CONCEPTIONS

Origin of the Muslim State; Arab Tribal *Shaikhdom*; the Quraish; the Muslim Brotherhood and its complex of superiority on the basis of its being the "chosen community of Allāh" and Muḥammad being the "last Prophet"; the first political action of Islām; Prof. Sherwani's views; Prophet's actions the background of the Muslim state; His personality; the Age of the Pious Khalīfas.

The 'Umayyad State a national Arab State; The 'Abbasid state and its religious associations more prominent; foreign contributions to the growth of State and Government; growth of political philosophy in Islām; some important political treatises in Islām; growth of unorthodox traditions like kingship, succession, sovereignty, property-sense around the state, succession of minors, females, primogeniture; right of revolt and deposition.

Kingship and its duty; King's prerogative.

Law of the State; Civil Law; Criminal Law; their applicability; Abū'l Faḍl's theory of sovereignty compared to that of Ibn Khaldun, Farabī, Ghazzālī; compared to Kautilya's and Hobbes'; Divine Right theory; Social Contract theory; a changed outlook.

The alleged "Profanity" of the Mughal State.

CHAPTER III

THE THEOLOGICAL ORGANISATION IN MUGHAL INDIA

Definition of a Muslim—his status in society; 'Alim, 'Ulamā; absence of Priesthood is a distinctive feature; no "church" in Islām; political organisation and the Khalīfah; 'Ulamā to be consulted; their departments—Diwān-Sa'adat and Diwān-i-Quḍat; Ṣadr, Ṣadr-u's-Ṣudūr, Qāḍi'u'l-Quḍat; Shaikhu'l-Islām; Qāḍi, Mir 'Adl; Muftī, Muḥtasib.

Ṣadr-u's-Ṣudūr:—his duty, his political position, his powers; Ṣadr-u's-Ṣudūr 'Abdū'n-Nabī under Akbar; Ṣadr-u's-Ṣudūr under Jahāngīr, Shāh Jahān and Aurangzeb; their emoluments.

Qāḍi'u'l-Quḍat:—His powers and functions; Makhdumu'l-Mulk 'Abdu'llāh Sulṭanpūrī under Akbar; their encroachments upon royal prerogatives; they lose power under Akbar; posts continue but dignity lost.

Qāḍī:—his position in the Mughal Empire; his qualification; his salary; powers; rivalry between judiciary and executive; Qāḍī's court described.

Mir-'Adl:—his origin; his duty; Change in his status under the Mughals.

Muftī:—his origin; his function; Mufti'u'l-'Aẓm.

Muḥtasib:—his position in Arabia, in India; limited nature of his duty.

Governor's religious functions as king's representative; his collaboration with different functionaries.

The Kotwāl:—his origin; his functions; as master of ceremonies; as inspector of public works; as municipal magistrate, as quasi-judicial officer.

CHAPTER IV

PERSONAL RELIGION OF THE MUGHAL EMPERORS

Bābur:—a mixture by blood, by association, by nature; spirit of free thinking in Bābur.

Humāyūn:—the mystic element in his nature—adoration of Light; freedom in religious observances and festivities; association with Hindus; his intermittent rule and slackness could not develop any tradition.

Akbar :—his birth ; early faith ; influence of Shī'ism ; Akbar swings to the left ; his regulations ; political, economic, cultural, social and religious ; criticism of his regulations.

Jahāngīr :—his birth and training ; his relation with different faiths, with Sikhs—with Christians—with Hindus ; he attempted conversions.

Shāh Jahān :—his birth ; pro-Muslim regulations ; personal religion of Shāh Jahān ; Hindu-Muslim marriages discouraged ; department of proselytisation ; his concessions to the Hindus ; popular encomiums.

Aurangzeb :—his idea of a Muslim ; orthodox Muslim structure of his rule ; propagation of faith ; traditional concessions to Hindus withdrawn ; his attitude towards Shī'as, towards Hindus ; Jeziah reimposed ; his reformist tendencies ; Aurangzeb not above superstitions ; effect of his religious policy.

Later Mughals—attempts to reimpose Jeziah ; they could no longer afford to be anti-Hindu ; structure of the state Islāmic, but political necessity too strong for a revival of unalloyed orthodoxy.

CHAPTER V

NON-MUSLIM SUBJECTS OF THE MUGHAL EMPIRE

Dhimmi—Protected non-Muslim Subjects

Dhimmi ; its meaning : attitude of Muḥammad towards non-Muslim residents, of Abu Bakr—of 'Umar ; legal status of a Dhimmi ; attitude of the Khalīfas not consistent ; how was the status of a Dhimmi lost ; views of Titus regarding Hindu subjects of the Muslims ; his view not tenable ; Turko-Afghan attitude : impossibility of infliction of all the harsh laws in Hindustan ; growth of a new conception in Hindustan, namely, allegiance to the throne and not to religion ; experiments in the south ; Mughal elasticity ; Bābur's heritage to Humāyūn ; Mughal experiments ; Akbar's attitude ; new synthesis ; Hindu right to live ; freedom of worship ; privilege of State service ; social and cultural unions ; linguistic approach ; Hindu gods in Muslim books ; Persian elements in Hindu books ; Historiography adopted by the Hindus ; translations ; common ground of approach through music and Ṣūfism ; science and medicine ; mutual reactions.

Appendix A

Musta'man—Foreign residents

Meaning of Musta'man ; foreigners but not citizens ; non-Muslim aliens like Christians ; Akbar and the Christians ; their rights to purchase lands, to make churches and cemeteries ; to join public service ; freedom from Jeziah ; individual Mughal Emperors in relation to Christians ; Akbar ; Jahāngīr ; Shāh Jahān ; Aurangzeb ; later Mughals.

Appendix B**Al-Jeziah—Compensatory-tax**

Al-Jeziah ; meaning of the word Jeziah ; why was it imposed ?

As (a) Punishment for unbelief, (b) Price for protection, (c) Price for free exercise or religion, (d) Exchange for military service. Who were liable to pay ? Who were exempted from payment ? Different kinds of Jeziah : Rate of imposition ; payment in kind ; payment in cash ; mode of collection ; conclusions.

CHAPTER VI**SOME NATIONAL AND LIBERAL ASPECTS
OF THE MUGHAL EMPIRE**

Did Islām conceive a national state ? Predominance of Arab elements in Islām ; Is Islām favourable to the growth of nationalism and patriotism ? Still there are Muslim patriots in many countries ; Federal element in Islāmic Khilāfat ; Turko-Afghan conception of government ; Sher Shāh's synthesis ; healthy precedents for Akbar ; factors of national unity in the Mughal Empire : (a) Administrative laws, (b) Criminal laws, (c) Common court language—Persian ; Common spoken language—Hindustani ; (d) a new civic conception of common loyalty to the throne and not to religion ; State-service open to all subjects though Rajputs preferred ; Khalifas and anti-Dhimmī laws ; the Dhimmīs on a new basis during the Mughal rule ; attitude of Akbar, Jahāngīr and Shāh Jahān towards the State in relation to Religion ; Aurangzeb's anti-national policy and its effect on the Mughal Empire.

CHAPTER VII**CONCLUSIONS**

Role of Islāmic State viewed historically ; Universal role of Islām ; break down of Unity ; new States with new outlook ; Indian problem different owing to distance of time and owing to its being conquered by non-Arabs ; Mughal conception of State ; Mughal attitude towards Religion ; Divine aspects of the Mughal Kingship ; its secular aspects.

WAS MUGHAL STATE A THEOCRACY ?

Theocracy defined ; "Church" the main element of theocracy is absent in Islām ; Shari'at—the theoretical guide in Muslim State ; Shar'—the legal sovereign and the Khalifah or Sultān or Padshāh the real sovereign ; Mughals always claimed to act as agents of Islām theologically, but in practice followed their own track ; Mughal State was not theocratic but 'profane'.

CHAPTER I

THE BID FOR HONOURS

The institution of the Khilāfat was the key-stone in the organisation of early Muslim community. The Khalifah¹ was the successor to the Prophet of God ; he was the Āmiru'l-Mā'minīn or the leader of the Faithful. As Imām he occupied the foremost place in public worship and delivered the Khuṭbah.² As a Khalifah, the leader of the Faithful, he claimed obedience from all members of the Muslim community.

The word Khalifah has been used in the Qur'ān only in six places. The word implied either

- (1) a man,
- (2) a vice-regent,
- (3) one who comes after.³

1. Khalifah comes from a root meaning "to succeed," "to come after"—he comes after the Prophet, he is *Khalīfah Rasūl Allāh*.

2. *Khuṭbah* is an oration where the name of the ruler of the community is recited in a mosque when believers assemble ; prayers are offered by the community in his favour. It has a political significance no less important than the religious one. The Khuṭbah is a pre-Muslim institution. In Arabia, before the advent of Muḥammad, the Khaṭīb was the orator of the tribe, who acted also as the judge of the society ; Muḥammad utilised the Khuṭbah to announce the need of day ; the Khuṭbah often took the shape of political pronouncements in His case.

3. The word *Khalīfah* has undergone several changes in meaning. Originally in old Arabic Khalifah was used in its etymological sense, *i. e.*, it meant one who came after, then it signified Man, *i. e.*, a Leader ; then a Ruler or Emperor ; finally an Emperor and Pope combined together. When the power of the Khalīfah was lost, it was used to signify an expert. It meant a clerk in Egyptian Arabic ; in Turki language it meant a barber. In Indian language Khalīfah means a tailor and a wrestler in common parlance.

In the following places the word *Khalifah* was used in the *Qur'ān* but the word signifies a "man" and not a "ruler" as has been advanced by Hughes in his *Dictionary of Islam*, pp. 263-66.

The following are the revelations regarding *Khalifah* in the *Qur'ān* :—

Surah II. 30—"And when the Lord said to the angels, I am about to place a vice-regent (*Khalifah*) on the earth, they said, Wilt Thou place therein one who will do evil and shed blood?"

Wa idh qāla rabbuka lil-malā'ikati innī jā'ilunn fī'l-Arḍi-Khalīfatann, qālū atajālu fīhā man yufsidu fīhā wa yasfikud-dimā'.

Surah VI. 165—"And it is He who has made you *Khalīfas* on the earth."

Wa Huwa'l-ladhī ja'alakum Khalā'ifa fī'l-Arḍi.

Surah VII. 69—"And remember when He made you *Khalīfas* after Noa's people."

Wadhkurū idh ja'alakum Khalā'ifa fī'l-Arḍi ba'da qawmi Nuh.

Surah X. 14—"Then we have made you *Khalīah* on earth after them, so that We may see how you act."

Thumma ja'alnākum Khalā'ifa fī'l-Arḍi mim ba'dihim linanḡura kaifa ta'malūn.

Surah XXIV. 55—"He promised to those who are believers amongst you and perform pious deeds that they shall be made *Khalīfas* on earth as they have been made *Khalīfas* as their predecessors have been."

Wa'adal-lāhu al-ladhīna āmanū minkum wa 'amilū aṣ-ṣāliḡātī liyastakhliḡannahum fī'l-Arḍi.

Surah XXXVIII 26—"Oh David, Verily We have made thee a vice-regent (*Khalīfah*). Judge thou between men with justice."

Yā Dāwūdū innā ja'alnāka Khalīfatann fī'l-Arḍi, fa'ḡkum bayna'n-nāsi bi'l Ḥaqq.

Immediately after Muḥammad's death, Ābū Bakr, the Prophet's father-in-law was chosen as his successor. To express his position as a successor, Ābū Bakr chose the word Khalīfah meaning simply 'one who comes after', a word very humble in meaning and very common in use at that time. Though the prophetic function of Muḥammad had ceased with his death, Ābū Bakr officiated as the leader in public prayers, in other words, he acted as an Imām¹. The leadership in prayer signified his leadership in other affairs of the community. 'Umar, successor of Ābū Bakr, went a step further and styled himself the Commander of the Faithful or Āmir-u'l-Mā'minin,² because he had commanded the army of the Faithful as the Prophet had done. Thus the position of the successor of Muḥammad was expressed in three terms—the Khalīfah, the Imām, the Āmir-u'l-Mā'minin. Khalīfah expressed leadership of the mission of the Prophet, Imām expressed leadership in religious functions and Āmir-u'l-Mā'minin expressed leadership of the army and the administration.

The civil war that broke out during the rule of 'Alī, a son-in-law of Muḥammad, laid the

1 The word Imām was used in the Qur'ān several times in the sense of a leader (Surah, ii. 124) *qāla innī ja'iluka lin-nāsi Imāmunn*; of a guide (Surah, xxi. 73) *Waja'alnāhum a'immatan Yahūdina bi'amrinā*; of an example (Surah, xxv. 74) *Waja'alnāli'l Mattaḥiqina Imāmunn*; of an Inspired Book (e.g., the Book of Moses; Surah, xi. 17) *Wa min qablihi Katābu Mūsā Imāmunn wa rahmatan*; of a leader of the unbeliever (Surah, ix. 12) *Faḡātilū a'immatu lkufr*. The dignity of Imām as a title is not found in Islām before Mā'mūn the 'Abbasid Khalīfah (813-833 A. D.).

2 Before 'Umar, this title of *Āmir-u'l-Mā'minin* was given to one Abdu'llāh Ibn Jahsh for his successful raid at Nakhlah in the 2nd year of *Hijrah*. *Al-Mas'ūdī, Kitābu't-Tanbih*, p. 236.

foundation of the theories of that great institution known in Islām as the K̤hilāfat. Whom to chose as the successor of the Prophet was the question? The Ārabs often quoted Traditions that the K̤halifah must be from the Quraish, the tribe of Muḥammad.

Hujjatu'l-lahil Bālagha¹ quotes a Tradition, "It is a necessary condition that the K̤halifah be of the Quraish tribe."²

During the 'Umayyad period the political conquests of Islām were going on *pari passu* the Ārab national movement and as such the time of a K̤halifah was mostly absorbed in his political and governmental activities. During the civil war between the 'Umayyads and 'Abbāsids, the Shi'as emphasised the hereditary aspects of the 'Abbāsīd claims and the 'Abbāsīds succeeded through the preponderance of the 'Alīds at the court and in the household. Since then the K̤hilāfat took a new character, the 'Abbāsīd K̤halīfas became general patrons of the 'Ulamā because the 'Ulamā had supported their claims to the K̤hilāfat and they laid emphasis upon their function as protectors of Islām after they had come to power; Baghdad, the 'Abbāsīd capital, became the chief centre of Islāmic theological activities. The *Fiqh* (Law) received its definite shape during this period. The pristine simplicity and easy accessibility of the 'Umayyads were substituted by the solemnity and majesty of

1. *Mishkātul Maṣābīh*, Book XXIV, Chap. XII, Tayalisi, Nos. 926, 2133, Muslim, *Bāb, Imāra*, Nos. 5-10.

Sharhu'l Muwāqif—(Egyptian Ed.) p. 606

2. *Hujjat-ul-lahil Balagha*—(Ed. Delhi) p. 335.

the 'Abbāsids. In their new capital at Baghdad, the traditions of the Persian monarchy reasserted themselves due to the support of the Persians from whom their supporters generally came. "The 'Abbāsīd sat on the throne in solemn majesty, surrounded by his guards and the executioners with their drawn swords by his sides. At the same time, he emphasised the religious aspect of his office by wearing the mantle of the Prophet."

With the decline of the temporal power of the 'Abbāsids in the 9th century A. D., they began to lay more stress on their position as Imām in the religious order¹ and posed as the representatives of the Faith. What was lost in the secular side of the Khilāfat was sought to be compensated by emphasis on its religious side. The 'Ulamā began to emphasise the religious aspect by encouraging persecution of the heretics and of the non-Muslims. The Khilāfat traditions of the power of the Khalifas continued and were regarded as the foundation of all political authority and power in the Muslim world.

The point becomes clear when we consider the status and position of the new states that had been established by Muslim potentates outside the authority of the Khilāfat of Baghdad.

1. Hadīth is eloquent on Imām and Imāmat—especially Bukhārī and Muslim. Actually the Prophet said, "He who obeys the *Imām*, obeys me"—Bukhārī, Tamani, Bab. I. "Even an unjust Imām must be obeyed," Muslim, Imara, Bab. 49. Abū Yūsuf in his Kitāb-u'l Kharāj (p. 6) says, "If the ruler is a tyrant he will get his punishment," but "people are exhorted to obey even a tyrant." For the exclusively religious aspect of Imām, see Bukhārī, Bab. Adhan, 51-53, 74, 82, 128 ; Taksir-u-ṣ-ṣalat. Bab. 17,

With one God, one Prophet and one Qur'ān, one controlling authority in Islām was but a natural corollary; one Prophet must have but one successor. The Ḥadīth records, "If there are two Khalīfas one must be killed."¹ It is therefore clear that no obedience was due to any other claimant to the civil authority. But no one can deny the historical fact that during the weak days of the 'Abbāsīd Khilāfat many new political states grew up ruled by the followers of Islām; and all of them could not be suppressed and some of them survived for more than five hundred years. What could a follower of Islām do but offer allegiance to the ruler *de facto* in spite of the Tradition telling him to kill the new claimant and what could an 'Abbāsīd Khalīfah do but recognise him as the ruler of the soil? So, a silent understanding was arrived at, by which a strong Muslim ruler who had established an independent kingdom was recognised as such by the Khalīfah with honorific titles like Āmiru'l-Islām, Nā'ib-u'l-Khalīfah, etc., and the new potentate by accepting these titles from the successor of the Prophet tacitly acknowledged his overlordship. At once the Muslim subjects could with clear conscience submit to the new authority. The Khuṭbah was read in his name and they accorded him welcome as their political chief. Even a powerful potentate like Sulṭān Maḥmūd of Ghazna

1 Muslim, Bab. Imāra. 61. 'An Abī Hurairat : qāla Rasūlu'llāhi Man atā'anī faqad atā'allāha ; wa man 'aṣani faqad 'aṣa'l lāha wa man yuṭī'l Amīra faqad atā'anī, wa man ya'sīl' Amīra faqad asānī.
Wa 'an Abī Sa'ādin qāla ; qāla Rasūlu'llāhiidhā būyi'a halīfatain-i faqtulū'l Akhara.

on renouncing his allegiance to the Samanids in 997 A. D. was glad to have his independent position recognised by the Khalifah under the title of Yamīn-u'd-Dawlāh (the Right Hand of the Empire) and Āmir-u'l-Mā'mīnīn wa'l Millat (the Leader of the Faithful and of the Community). Yūsuf bin Tāshfin, the founder of the Āl-Morawid dynasty of Spain, received the title of Āmir-u'l-Muslimin from Muqtādī, an 'Abbāsīd Khalifah of Baghdad. In 1175 A. D. Saleḥ-u'd-Dīn assumed the sovereignty of Egypt and Syria and he was happy to have his title confirmed by Khalifah Muqtādī. The founder of the Rasūlid dynasty of Yaman, Nār-u'd-Dīn 'Umar, received investiture from Khalifah Mustanşir in 1235 A. D. The same Khalifah responded to the wishes of Iltutmish who was the first Muslim Sulṭān of Delhi to have his title recognised by the highest dignitary of Islām. The classical scholars had to submit to the logic of facts and acknowledge more than one independent Muslim state at one and the same time. Ās-Sarakhsi, recorded the opinion of Ābū Yūsuf and Āsh-Shaibānī as follows :—

"They both maintain, a territory is related to its people on account of their controlling hand over it and their establishing protective authority therein"¹

That the Khilāfat association was prized during the Turko-Afghan period of Indian History is proved by the fact that a strong king like Balban inscribed his coins with the names of 'Abbāsīd Khalifas. Dia-u'd-Dīn Barānī says that Balban asked his

1. Md. Hamidullah, *Muslim Conduct of the State*, p. 49, for details. *Lahūma ad-dāru innamā tunsabu ilā ahlihimā lithubūti yadīhim al-qāhirati ālayhā wa-qiya'mi walāyalihim al-ḥāfiẓati fihā* p. 405.

son to have his title confirmed by the 'Abbāsīd Khalifah. 'Ālāu'd-Dīn Khaljī who had but little respect for the forms of religion found it necessary to assume the title of Yamin-u'l-Khilāfāt Naṣir-i'l-Āmir-u'l-Mū'mīnīn (the Right Hand of the Khalifah and the Helper of the Leader of the Faithful.) Of the Indian Turko-Afghans, Mubārak Khaljī went to the length of assuming personally the title of Khalifah himself as his coins indicate.²

The Tughluqs revived the Khilāfāt slogan and Muḥammad Tughluq applied to the Khalifah in Egypt for confirmation of his accession to the throne through his envoy, Ḥājī Sar Sarī, in 1340-43 A. D. He removed his own name from the coins and substituted those of the Fātimid Khalifas. Even after the death of Khalifah Mustakfi in 1340, he continued the name of the dead Khalifah in his coins for 3 years with a prayer, "May God make his Khilāfāt abide for ever".³ Firūz Tughluq, who was not quixotic like his cousin, made similar submission to the Khalifah, revived the Khuṭbah and substituted his own name and those of his predecessors including Muḥammad Tughluq and Mubārak Khaljī. He sent presents to the Khalifah and wrote in his auto-biography that his authority had been confirmed because of his submission to the Khalifah, and he says, "It is by this sanction that the power of kings is assured and no king is secure until he has submitted himself to the Khalifah and has received confirmation from

1. Barānī, B. I. Text, 103.

2. Thomas, *Chronicles of the Pathan Kings*, pp. 177-81.

Wright, *Catalogue of Coins*, Vol. II, pp. 43, 44.

3. *Ibid*, p. 103.

the sacred throne. A diploma was sent to me fully confirming my authority as the Deputy of the Khalīfah, and the Leader of the Faithful was graciously pleased to honour me with the title of Sayyid-u's Salāṭin. He also bestowed upon me robes, a sword, a footprint as badges of honour and distinction."

The Khalīfas of Egypt who held the shadowy office for over two and half centuries almost as prisoners, were utilised by Mamlūk Sultāns to give legitimacy to their rule. The Mamlūks always claimed a higher status for themselves than other Muslim potentates because their title of Sultān was conferred upon them by the Khalīfah who was in Egypt. It may appear silly to-day on the part of the Mamlūk that they interpreted this dignified title granted by a dishonourable puppet as a mark of honour, yet they were so particular about this titular dignity that they grudged the assumption of the title of Sultān by any Muslim potentates.² How degrading was the position of the Khalīfas in Egypt! Some of them (except al-Wāthiq bi'lāhi-Ibrāhim) were even denied the privilege of having their names recited in the Khuṭbah, yet Khalīl Ibn Shāhin az-Zahiri (1410-1468 A.D.) described the ancient Faṭimid Khalīfah, who was a prisoner in every sense, in such glorious terms. "He has inherited the Khilāfat from the Prophet. God, the Almighty

1. Extracts from *Faṭuhat-i-Firūz Shāhī*, Elliot and Dowson, III, p. 387.

2. Khalīl Ibn Shāhin az-Zāhirī, *Zubdat Kashf al Mamālik*. Ed. Ravaisse, p. 89.

has made him the Khalifah over the lands of Islām.....”

Mubārīz Ibn Muẓaffar, the conqueror of Mongol Ilkhān, took an oath of allegiance to Āl Mu'taḍid bi'lāh in 1354 A.D. and inserted the name of the Khalifah in his Khuṭbah. His son Shāh Shujā' (1357-1384 A.D.) recognised the Khalifah al Mutwakkil in 1369.¹ Muḥammad Tughluq and Firūz, as has been told before, felt proud that they had been recognised by the Khalifas in Egypt.

As opposed to this, another current was running with equal, if not greater, force against the Khilāfat title, honour and primacy in Islām. Ghazān Khān refused to recognise the 'Abbāsīd Khalifah at Cairo, and after the occupation of Damascus he was described as “the Sultān of Islām and the Muslims”. After the fall of the 'Abbāsīds in 1258 A.D. gradually the title lost its real character so much so that any Muslim who could control some territory assumed the title and styled himself as a Khalifah. To name a few :— (1) Ābū Ābdu'llāh Muḥammad, the Hafsīd ruler of Tunis, took the title of Āmiru'l Mā'minin Khalifah wa Imām (1249-1277 A.D.) (2) Ābū 'Inān Fāris, the Marinīd ruler of Morocco, was called Āmir-u'l Mā'minin (1348-58 A.D.). Ibn Baṭutah, who visited his land, described him as Khalifah, or the shadow of God upon Earth. (3) Quṭub-u'd-Dīn Mubārak Khaljī of Delhi styled himself (1316-23 A.D.) Imām, Khalifah of God and Pole Star on the Earth in his coins.

1. Ibn Baṭutah, Travels, I, p. 382.

(4) Muḥammad Shaībānī, the founder of the Uzbek kingdom of Trans-Oxiana (1500-10 A.D.) described himself as the "Imām of the Age" or the "Khalifah of the Merciful."

That the Kḥilāfat was a very exalted position and that the Khalifah was the most exalted personality in Islām is proved by the fact that there was so much scramble for the dignity, or its association in almost every part of the Muslim world. Except the Shi'ah rulers of Persia, one or more powerful potentates claimed the title in one or another period of their supremacy. Timūr, though not strictly very orthodox, was conscious of the importance of the dignity of the Khalifah in the Muslim world. He was glad to vindicate his conquest by assuming the title of Khalifatu'llāh and by reading the Khuṭbah in his name. Further, when the Sayyids gave in writing their right of governing the Prophet's *Ummat* to Timūr; he had the Khuṭbah read in his name again. It was not that the assumption added more prestige to his power or made him more powerful, because Sulaimān, son of Bāyazid, had already accepted Timūr's vassalage, Egypt hastened to send its submission, and Timūr's name was read in public prayers there¹. The Kḥilāfat was rather the cementing bond of his vast empire which was predominantly Muslim in composition. The advantage of this Kḥilāfat title was that the military conquest of the Timūrid family was sanctified by a religious association. Previously, the Mongol Khānate had hardly

(1) Gibbon, *Foundation of the Ottoman Empire*, pp. 250-60. Akbar Nāmah, I. p. 80

any definite religious connotation, or spiritual background ; but since Timūr the Mughal sovereignty was presented with a new role connected with the religion beset with complications inherent in a religio-political state. Politically, the advantage of an unrestricted suzerainty of the Mughals was curbed and limited by the religious obligations as pronounced by the 'Ulamā. The moment the religious obligations were given superior consideration to the political, the Mughal empire began to lose its position. The reason why the Mughal rule in India could not find its natural development and could not give its best, was partly due to the religious restrictions that were placed on its administrative ideals by the interpreters of the Faith.

Timūr divided his empire amongst his sons on a territorial basis¹ and this practice was later followed by his successors. According to the orthodox conception of a Muslim State, the Khilāfat was indivisible and elective ; but the Umayyads broke through that conception and held that the Khilāfat was hereditary though the fiction of election was maintained. As a shrewd politician Timūr adopted the title of *Murawij wa Mujaddid*, Promoter and Renovator of Religion, and ranked himself with some of the famous Mujaddids of the good old days such as 'Umar, 'Abdu'l-Āziz, Mā'mūn and Muqtadir bi'llāh. The family traditions and blood ties were great factors amongst the Mongol tribes and many of the currents of the Turko-Mongol history could be explained with

1 Tripathi, *Some Aspects of Muslim Administration*, pp. 108-10.

reference to these fundamental traits of their character.

Within half a century of Timūr's death, his political conquests were practically lost, though the ruins remained. Only Shāh Rukh, his son, claimed the dignity from his father and it was accepted by Qārā Yūsuf of the Black Sheep Turkoman Family and Hamzah Beg of the White Sheep Family.¹ In India Khidr Khān accepted the Khilāfat pretensions of Shāh Rukh. But Barsbay, a Mamlūk Sultān of Egypt, tore to pieces the letter in which his agent claimed the recognition of the Khalifah in 1426 A.D., while Murād II of Constantinople treated the claim of Shāh Rukh as a mere joke. The four generations that followed was not a glorious record for the Timūrids in the history of Central Āsiā. The growth of the 'Uthmānlis in Constantinople, the rise of the Şafawī dynasty in Iran, and the Shaibānids in Trans-Oxiana (Mā'warā-u'n-Nahr) had practically eclipsed the glory of the dynasty of Timūr. It was not till Bābur came to the throne of Kabul that the Timūrids began to be counted as a serious power.

Bābur was faced with two very strong Muslim powers, the 'Uthmānlis and Şafawīs, both in the flush of their youthful vigour and Bābur had an uncomfortable time. He felt pride in his "ennobled blood" and believed that the Timūrids had an inherent right to rule. He was a believer in hereditary monarchy. To him the conquest of Hindustan was nothing but the acquisition of his ancestral property to which he had a claim to succeed

1 Faridun Bey. *Munshā'at-u's Salāṭin*, I, 144

by right of birth. The question of minority did not prevent his succession to the territory of Samarqand. A division of Hindustan amongst his sons was exactly what Timūr had done in Samarqand. But what was his attitude towards the traditional leader of the Islāmic Brotherhood ?

Bābur was by birth a Sunni and as such the Sunni Khalifah controlling Makkah and the Baitu'l Muqaddas in whose name the Khuṭbah was then recited in Makkah and Madinah, naturally had a claim on his allegiance and obedience. He was no theologian but a simple believer. By the time Bābur came to Hindustan often political expediency outweighed religious considerations with the rulers. As has been narrated already, politics had struck deep root into the minds of the Muslim philosophers and potentates, and the prestige of the Khilāfat as a shield for the faithful was to a great extent compromised owing to the rise of Shi'ism. Under the influence of Shāh Ismā'il (1502-24) many of the important Muslim potentates were forced to renounce Sunnism and accept Shi'ism which added a new factor to the Perso-Rumi feud¹. In fact, Baysunghar, Sulṭān Ḥussain and his son Muḥammad Ḥussain were Shi'as at one or another period of their lives ; gradually the Ṣafawī dynasty became the rallying point of the Shi'ah religions and political movements. Bābur's own relation, Ḥussain Baiqara, a strong ruler of Khurasan was a Shi'ah and Bābur narrated with pride his glorious deeds.

1. F. G. Browne. *Literary History of Persia*, Vol. III. pp. 315, 379, 416.

The rise of the 'Uthmānli and Chagtāi' Turks after the fall of the 'Abbāsids are significant because both were Turks and converts. Soon after the death of Timūr the Chagtāi's kept themselves confined to Samarqand and the Uthmānlis planted themselves in Constantinople as successors to the Khalīfas of Cairo. By the time Bābur came to the forefront, Persia was being ruled by one of her ablest monarchs, Shāh Ismā'il (1502-24) and Constantinople was under the hegemony of one of her strongest rulers, Salim the Grim (1512-20). Shāh Ismā'il made Shī'ism the national religion of Persia and he became the champion of a militant national movement under cover of religion thus following the example set up by the Ārabs in the early days of Islām. The war of Merv (Dec. 2, 1510 A. D.) between Shaibānī Khān Uzbeigh and Shāh Ismā'il Ṣafawi, was a great event in the Muslim world in the first quarter of the 16th century. Shaibānī Khān's body was dismembered and his limbs were sent to different parts of his empire to be exposed to public gaze; the skin of his head was stuffed with hay and sent to Sulṭān Bāyazid II of Constantinople. The skull set in gold was used as a drinking vessel¹. Bābur certainly felt relieved and sent one Khān Mirza with presents to congratulate Shāh Ismā'il on his victory over this common enemy and to "dispose him to lend assistance in the attempt,

1. Iskandar Munshi, *Tārīkhī 'Ālam Arāī 'Abbāsī*, pp. 17-19; (Teheran edition). *Tārīkhī Rashīdī* pp. 181-183 quoted by Erskine, History of India, Vol. I, pp. 303-04.

which he now meditated, to recover the kingdom of Māwarā-u'n Nahr¹. Mirzā Haider says, "the Khān was sent with tenders of obedience and aid"². This assistance was given and Bābur was "conceded the possession of Māwarā-u'n Nahr". He wore the Shi'i-Tāj and struck coins bearing the Shi'ah religious texts; and between 1510 and 1512 A. D. there is no doubt that Bābur was almost a protege of Persia up to the battle of Ghazdawan³ though he was never serious in his professions of Shi'ism. Against the avowed traditions of Timūr he recited the names of twelve Imāms from the minar of the Mosque of Samarqand⁴. He had to face an open war backed by Salim the Grim, and lost Samarqand which passed into the hands of Ubsid u'llāh Khān, a friend of Salim. In the Shi'a-Sunni contest that followed between Shāh Ismā'il and Salim the Grim, the former compelled many of his vassals to accept Shi'ism and the latter replied by massacring some of his Shi'ah subjects in Constantinople. The Persian Shāh was defeated

1. Erskine, op. cit. p. 306

2. *Tārikhi Rashīdsāī*, p. 187. *Bābur Nāmāh* (Bev.) p. 354

3. Rush Brooke Williams flatters himself that his hero, Bābur was equal in status to Shāh Ismā'il because Bābur used the word 'friend' in his Memoirs to describe their relation. Dr. S. K. Banerjee holds "a similar view in his note on the religion of Humāyūn. But 'Ubaidu'llāh Khān describe him as *Zisthaktar badbakht hākima. Kābul*. Vide *Manshū'at Salāṭīn* by Faridun Bey, 1274 A. H. Constantinople, Vol. I, p. 116. Here Bābur is described as a Shi'ah while he was the ruler of Kabul and Qandahar, R. Williams op. cit. 102, n. 1

4. Indian History of Congress, Poona, "Religion of Humayun" article by S. K. Banerjee. This recitation of names of Shi'ah Imāms in prayers made Bābur unpopular amongst his Chaghtai followers for a time. *Ālam Ārāī Abbāsī*, (Teheran Ed.), p. 209.

at Chaldiran by Salim who pushed his arms up to Egypt and Syria. The last of the Egyptian 'Abbāsids surrendered the insignia of K̤hilāfat to Salim the Grim in 1517 and the latter issued a proclamation claiming hegemony over all orthodox Muslims of the world. His claim to obedience from all orthodox Muslims was all the more strengthened, for he was the grandson of Muḥammad II, who had finally destroyed the Roman Empire of the East. He took a very grandiose title to signify his position in the circle of Islāmic brotherhood, namely¹, Certainly they were in a position to protect the seas which carried the pilgrims to the holy places of Islām and which were being subjected to piracy by the Portuguese at that time.² Bābur had his opportunity in this defeat of the Shāh of Persia; and seated on the throne of Delhi, he reverted to the traditional faith of Timūr. It is significant that in Hindustan Bābur struck coins bearing the names of the first four K̤halifas and that he read the K̤huṭbah in his own name and called himself a Bādshāh.

The above fact clearly demonstrated that by the time Bābur was forging ahead, trans-Indian Muslim politics was taking a definite shape :—

(i) The phantom K̤halifah Āt Mutawakkil, the last of the 'Abbāsids in Egypt had surrendered the

1. *Sulṭān-u's Salāṭin wa Ḥakīm-u'l Ḥakīmīn Malik-u'l Bahra'īn wa Himyāt-u'l Bahra'īn K̤halīfat-u'r Rasūl Allāh Amīr-u'l Mū'mīnīn wa Sulṭān wa Khān.*

2. Stripling, *The Ottoman Turkey and the Arabs* (1511-1574) pp. 39-44

insignia¹ of the Khilāfat to the 'Uthmānīs of Constantinople in 1517 A.D. They were recognised as leaders of Makkh by its Sharif and this recognition increased the 'Uthmānī position as successor to the leadership of the orthodox Muslims.²

(ii) Shi'ism was established definitely as the national religion of the Persians under the Ṣafawīs in 1502-24 A.D. and the contest for honour between Constantinople and Iran, or between the 'Uthmānīs and Ṣafawīs ultimately resolved into a contest between the Shi'as and the Sunnis.

(iii) The Timūrids now entered the field as a third contestant for the role of honour and behind them was the tradition of Timūr who had conquered Persia; destroyed Baghdad and assumed the title of Khalifatul'lāh.

Bābur was a Sunni by faith; but by ritual he was a *Sinner*. The usual connotation of a Sunni is that he is rooted to traditions. But Bābur was not fettered by any dogma.³ Urged by political necessity, he might play the role of a Shi'ah by wearing a cap according to Shi'ah fashion, or by reciting the Khaṭbah after the manner of a Shi'ah or by offering prayers in the name of 'Alī Murtazā.⁴ But when the necessity was over, he might revert to the old form of faith in which he was

1. Hammer Purgstall, *Gesch des Osman*, IV, pp. 174, 178, 180, 191.

2. For details of Bābur's position during this period (1502-1517) see *Turīkhī Rashīdī*.

3. Elias and Ross, op. cit., p. 246 and note Bābur-Nāmah, (Beveridge), p. 354.

4. Gulbadan, *Humāyūn Nāmah*, 169 Tr. Rushbrooke Williams, *An Empire Builder of the 16th Century*, p. 105. 'Alam Araṣ 'Abbāsī, Teh. Ed., p. 290.

born and bred¹ as easily and as quickly as he had left it. He was no claimant for the Khilāfat dignity like many other Muslim Sultāns in other countries, though on the eve of his Indian conquest he declared that he was vindicating his succession to the conquest of Timūr and redeeming the unredeemed part of his heritage, and heritage might include many things. But Bābur was no dreamer, he attempted the possible—we mean the Indian conquest of Timūr in 1398 A.D., but not the impossible, that is, the assumption of the religious dignity claimed by his great ancestor Timūr in 1402 A.D. Bābur was satisfied with the title of a mere Pādshāh which he assumed in 1507 A.D. though the assumption of long-sounding titles was a fashion of the time. Bābur died within 4 years of his Indian conquest and in this short period, he silently repudiated the Shī'ah claims to his obedience and he remained a Sunnī as his coins point out.² Had he lived a little longer, it might have been possible for Bābur to throw off the pretensions of both Irān and Rum as the direction of events indicated.³

1. Sunnī orthodoxy was officially declared by Timūr in reply to Bāyazid's sarcastic reply to the former's demand for restoration of Yūsuf the fugitive of Kharput. See, Faridun Bey for the original texts of Timūr's letter and Bāyazid's reply, op., cit. I, pp. 118-119. Ms. Nawab Husain Khan Hajratgunje Library, Lucknow.

2. Wright, op. cit., p. 8.

3. Why did not Bābur rule Hindustan from Kabul? Was it that he intended to be out of the immediate reach of Shī'ah Persia or was it because he intended to vindicate the conquest of Timūr? Possibly both the considerations influenced the action of Bābur. It may be noted that Bābur did not like the climate of Hindustan, as his Tūzūk indicates, but the political consideration weighed with him more than his personal one. It would be easy to control the Afghans and Rajputs from Delhi rather than from Kabul. All these motives possibly worked together.

Of Bābur's several wives, at least two were Shī'ah. Of them one was Māham Begam, a descendant of Shaikh Aḥmad Jām and a relation of Sulṭān Ḥussain Baiqara. She became the mother of Humāyūn. The other was Ghul Rukh Bagchik, who became the mother of Kāmrān.¹ Once Humāyūn promised that he would make Shi'ism the religion of his State as the price of Persian help against Kāmrān²; but he treated it as an expediency because he knew that such an act would cost him his whole Chaghtāi' band of followers outside Persia notwithstanding the help of Bairām Khān. Shāh Ṭahmāsp was no doubt lukewarm in his support to Humāyūn during the first period of his sojourn there; this may be explained by the fact that he did not put implicit faith in the professions of Humāyūn inspite of his wearing the official Shī'ah head-cap and his pilgrimage to the tomb of Safiyu'd-Dīn, the great Shī'ah Shaikh of Ārdbil. The subsequent events proved that the suspicions of Ṭahmāsp was not unfounded.

Scarcely was Humāyūn about nineteen years old when Bābur had conquered Hindustan and repudiated his Shī'ah association. It is absolutely clear from the events recorded in the Humāyūn Nāmah from the year 1522 to 1540 that Humāyūn was free to follow his own religious and political proclivities.

Humāyūn's succession was not as easy as is

1. Gulbadan, of it pp. 10-11, p. 233. Mrs. Beveridge has given a note on the part played by women of this family in contemporary politics. Stray references to their religious tendencies may be gathered from the part they played in politics.

2. Jauhar, Tadhkirāt, (Bombay Text), p. 446.

ordinarily supposed. Nizām-u'd-Dīn Khalīfah, Wazīr of Bābur, who cherished no good feelings towards Humāyūn, wanted to raise Mahdī Khwajah, a brother-in-law of Bābur to the throne. Though Bābur was displeased with Humāyūn for his impolitic acts of commission and omission, he did not like to violate the custom of succession by primogeniture which had, by then, almost become an established fact amongst the Turko-Mongols. The intrigue of Nizām-u'd-Dīn Khalīfah failed and before his death Bābur called his officials and made them offer hamage to Humāyūn. Humāyūn named his capital Dīn-Panāh (Āsylum of the Faith) in 1534 A.D. as the city was an asylum for those who fled away from the wrath of the Uthmānlis, so says Jauhar. He had the Khuṭbah read in his own name at Delhi, Kābul and Ghazna, though the kingdom was partitioned territorially amongst all his brothers¹. After Humāyūn's flight from Hindustan

1. In the matter of succession right of blood, right of sword, right of election and right of nomination equally worked amongst the Muslim states in different places, because in the absence of a notion of kingdom in hereditary sense in Islām, ambitious men found easy outlet for application of their individual predilections in the matter. In such matters facts preceeded theory.

In the conception of the Islāmic brotherhood Muḥammad did not consciously make any provision for succession because the Islāmic brotherhood was no state in the modern sense. Modern ideas of sovereignty, state, succession, primogeniture, consecration, enthronement are, therefore, absent in the earlier treatise of Islāmic scholars. As is well known, theory and practice widely differ in Islām. States grew amongst the Muslim peoples—not one but many, in different parts of the globe at different times under different conditions. The races and tribes that entered into the arena of Islām could not and did not always shake off their tribal and racial instincts and they often preferred their own ideas and customs to the precepts of Islām. Hence it is not possible to establish any theory

Hindāl led by Kāmraṇ dropped Humāyūn's name from his Kḥuṭbah in Qandahar¹.

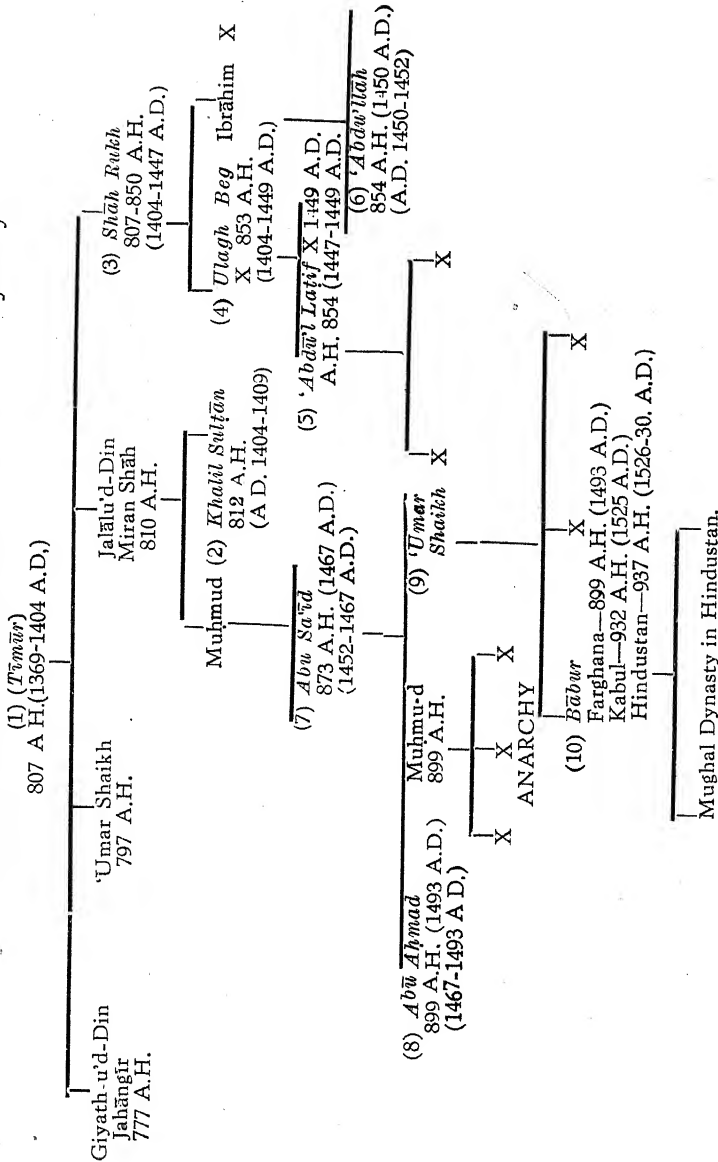
But pitted against Sher Khān, Humāyūn was no match for him and vanquished he left India and moved towards the west with his Shī'ah friend Bairām. Though urged by the latter² Humāyūn was unwilling to enter Persia as he was conscious that his father had strained relations with the Shāh of Persia towards the end of his reign. It was only after considerable pressure from his followers and after Bairām's welcome by Shāh Ṭahmāsp that Humāyūn entered Persia, but he was not allowed help before he had offered a particular form of prayer approved by the Shi'as².

illustrating the principles of succession except in a general way and that too, was followed more in the breach than in the observance. So far as the Tīmūrid state was concerned the idea of partition amongst sons, more than succession to the outgoing ruler by the eldest son was a feature (see the table—*Tīmūrid Succession*, p. 87). Succession amongst the Mongols was done by dividing tribes amongst princes "which was transformed into territorial division of the empire." Tīmūr himself divided his empire amongst his sons and his practice later on was followed by his successors" (Tripathi, op cit., p 108) The idea of dynastic succession amongst them is officially referred to in a speech of Abū Sa'id to Yunus Khān when he says, "The old order of things has changed, you need not lay aside all your pretensions, that is to say, the mandates will be issued in the name of the dynasty" (of Tīmūr), *Trūkht Rashīdī*, Elias and Ross, p. 172, The idea of partition still clung to some extent amongst the members of the family. Bābur made a partition amongst his sons—Humāyūn, Kamrān, Hindāl and 'Askarī (Ref. Humāyūn Nāmāh. Bev., p. 27). Shāh Jahān proposed a partition amongst his sons when civil war broke out. Aurangzeb actually drew up a scheme of partition in his death bed (Khāfi Khān., E. & D VII, 386). But, facts of Tīmūrid family proved that succession was confined to the family but throne went to the ablest who could successfully contest the same in a straight fight.

1. A. N. (Beveridge), pp. 161-162.

2. Mā'athir-i-Rahīmi (Abdul' Haq Nihawandī), Vol. I, p.76, Calcutta Edition. *Humāyūnāmāh*, pp. 160-165.

Table showing succession of the Tīmūrīd dynasty.



Again, after military assistance had been rendered to Humāyūn by Shāh Ṭahmāsp, he made obeisance to the great Shi'ah saint Safiyū'd-Din of Ārdbil on the shore of the Caspian sea.

Like Bābur, Humāyūn too received help from Persia for the conquest of Qandahar but it is significant that Humāyūn, a tried and experienced general, was placed subordinate in command to prince Murād aged six years, the third son of the Shāh.¹ Humāyūn had to explain the cause of his defeat in Hindustan² like a subordinate and it clearly demonstrated the relation that subsisted between the Timūrids and Ṣafawīs during the early period of his exile from India. After the conquest of Qandahar, Humāyūn placed it at the disposal of Prince Murād according to the agreement of Sept. 7, 1545 A.D. But as Humāyūn had no winter quarters and as the Persians refused to accommodate him, he occupied Qanahar by force and he appointed Bairām as its

1. Some contemporary pro-Mughal historians attempted to show that the relation between Humāyūn and Shāh Ṭahmāsp throughout was one of equality and friendship of sovereigns. They argue that Humāyūn was entertained in a sumptuous dinner by Shāh Ṭahmāsp as a mark of friendship and that this friendship was reciprocated by Humāyūn by giving a dinner in Indian fashion. But Jauhar, a servant of Humāyūn, who was present at these dinners, points out the indignity which Humāyūn had to suffer under the glittering displays of his too gorgeous host, Shāh Ṭahmāsp displaying in the most gorgeous manner his superiority over the unfortunate prince who was his guest, and persecuting him into a conformity with his own religious opinions. But in the end Humāyūn's position improved no doubt with the conquest of Kabul and Qandahar. Akbar Nāmah, pp. I. 287-8 Jauhar, *Waqī'at Humāyūnī*. The Punjab University Ms., F 61 (b), 62 (a).

2. S. Ray, says in his *Humayun in Persia* (R. A. S. B., 1948), that the army of Prince Murād and Budaq Beg was an auxiliary force and that the commands were separate. Ray's arguments are not borne out by subsequent events. pp. 50-53.

Governor¹. The Shāh ratified this arrangement and sent the people of the Baharlu Tribe of Hamadan to remain under Bairām. After this Humāyūn practically ruled Kabul in his own right and Bairām held Qandahar under Humāyūn though the title 'Khān' was given to him by Shāh Tahmāsp². The Persians had no alternative but to acknowledge this altered position as they were busy with the 'Uthmānlis and Uzbegs on the west and north; yet the continuance of Bairām, a Shī'ah noble as governor of Qandahar³, was flattering to the Shāh. Further, the appointment of Bairām as the guardian (Ātaliq) of Ākbar, the young son of Humāyūn, was possibly interpreted as a gesture of good will to the Persian Shāh. From a study of events during the period, it is not much wide off the mark to suggest that the Şafawī connection with the Tīmūrids through Bairām Khān preserved Hindustan (1545-1533 A. D.) during the early period of Ākbar's rule as it was done during the government of Kabul by Humāyūn⁴. The Shī'ah association of Bairām was possibly one of the reasons why the Sunnī nobility as a class opposed Bairām. The route which Bairām had taken when he was retreating from Hindustan after his open rupture with Ākbar, may suggest that he was probably expecting to go over to Iran where intervention of the Shāh in his favour could be reasonably expected.

1. Akbar Nāmāh. Text I. pp. 241, 309.

Qandahār rā az u girifatah Bairām Khān rā Sapūrd.....

2. Mā'athīr-i-Rahīmī. Text. II. p. 23.

3. A. N. (Bev.) I. pp. 440-41.

4. The title of Bairām Khān used in Persian Court correspondence was Amīr-i-Mu'azzam.

So far as the Khilāfat honour was concerned the balance lay in favour of the 'Uthmānīs owing to the official surrender of the insignia of Khilāfat by Mutwakkil in 1517, their contiguity to the holy places of Islām, their services for protection of the pilgrims against Portuguese pirates and their recognition by the *Sharif* of Makkah. The orthodox could not attach any importance to any Khalifah who did not belong to the family of the Prophet, or if he were not in Arab. Nasafi, the Hanāfi Jurist (1068-1141) and Ibrāhīm Halabi, the Turkī jurist, shared the same view.¹

Certainly the Khuṭbah was recited in the name of the 'Uthmānī Sultāns in Makkah, Madinah and in the neighbourhood. But between an 'Uthmānī Turk and a Chaghtāi Turk probably to many, the blood of the former had a greater sanctity than that of the latter. But a weakling of the Chaghtāi family could hardly forget that his ancestor had captured and killed Bāyazid, the great 'Uthmānī ruler. When Bysunghar, a son of Dānyāl went to Constantinople to seek help against Shāh Jahān, he made a parade of his lineage and offended Murād IV and thus spoiled his chances². Humāyūn was not willing to recognise anybody as superior to a Timūrid unless compelled as when he was in Persia, though he did not assume any Khilāfat title which some of the contemporary Muslim rulers did, as a mark of distinction. Moreover he was too

1. See, ante, p. 70 foot note 1

2. Arnold, *Caliphate*, pp. 161-162—Transactions of the Royal Asiatic Society, Great Britain, 1830, Jan. 2, pp. 463-64. Chevalier Joseph de Hammer's article.

the Turki association of his family. At Kabul, busy with the preservation of his own existence to attend to this technical aspect which had no practical importance just at the moment. The conversation with Sidi 'Alī Dāshā, a Turkish sailor, at the court of Humāyūn indicated that the 'Uthmānlis actually regarded themselves as superior to the Timūrids¹. By the time Humāyūn died, the Timūrids were faced with two strong rivals, the Sunni 'Uthmānlis and the Shī'ah Ṣafawis. The Sunni association with the Timūrids was traditional, and their Shī'ah connection started only just two generations back. It took his son Akbar more than a quarter of a century to free the Timūrids from the politico-religious connections of both Constantinople and Iran. Whatever might have been the practical value of those pretensions, it was indeed a matter of psychological satisfaction.

Akbar was the child of a Sunni father and a Shī'ah mother born in Hindustan in the land of Ṣāfism at the house of a Hindu in 1542. Soon after, he was a prisoner in the hands of an uncle Kāmṛān whose attitude towards his father was anything but cordial. Before he was three years old he was placed back in the midst of

1. Travels of Sidi Ali Pasha, by Vambéry, pp. 51—53. Sidi 'Alī makes Humāyūn say that the ruler of Turkey was "the only man worthy to bear the title of *Padshāh*, he alone and no one else in the world." Burhān, son of Sikandar, sought refuge at the Court of Sulaimān at the Porte after he had fled from Humāyūn's pursuit. He was honourably received and granted an allowance of 300 Aspers. An embassy came to the court of Gujarat from Sulaimān to seek aid against Humāyūn. Transactions. J. R. A. S., 1830, pp. 462-63.

he was nurtured in the midst of the Persian folklore and traditions under the guidance of his Persian teachers. This experience could not fail to produce a deep impression on him in his later life. Though Humāyūn was officially professing the Shī'ah religion during his sojourn in Persia adopting Persian decorations and symbols, his harem was full of orthodox Sunnī ladies clinging to the hereditary customs and manners. During the early years of Ākbar, two forces were thus working side by side, namely, the family customs of the Chagtāī clan and the Shī'ah tendencies of the Persians. Shāh Ṭahmāsp flattered himself that the Timūrids had reconquered Hindustan at the battle of Sarhind as his protegee, if not as vassal. Shāh Ṭahmāsp was too happy to notice that Humāyūn was continuing at least outwardly the Persian decorations, symbols and prayers. Bairām, the guardian (Ātāliq) of Ākbar was a Tafḍili, pro-Shī'ah. He was a Turkoman, originally a subject of Persia and accompanied the army of Āmir Najm Sanī sent by Shāh Ismā'il to assist Bābur against the Uzbegs (1510-12). Ākbar's guardian tutor, Shāh 'Abdu'l-Laṭīf was a Shī'ah and his Ṣadr-u'ṣ Ṣudūr Shaikh Gadā'i was a Shī'ah. The official tone of the state so far as religion was concerned, was more Shī'ah than Sunnī though the Chagtāī nobility as a class professed Sunnism. But soon an opposition to

1. Bairām's exemption of Shaikh Gadā'i from customary Taslim (Salutation) was not liked by the Chagtāī's. A. N. Bev, ii. p. 161

Bad., op. cit. ii., 201 says that the chief 'Ulamā went in mourning at the eminence of Shaikh Gadā'i. *Akābir A'immaḥ az in M'irāj Shaikh Gadā'i Ke dar 'ulu-e-nisabū ham Sakhun dastand wa Khānah ba Khānah wa Mātam-i-'azim uftadand.*

Bairām was formed. The political discontent amongst the nobility against the high-handedness of Bairām was worked up by the wily Mahām Ānagah in conjunction with Pīr Muḥammad and Ādham Khān. The Shī'ah associations of Bairām partly screened off the services which he had rendered to the state during the stormy days of Humāyūn and the early days of Akbar. To a distrust born of politics was added the fury of a discontent born of religion. Bairām's fall was not unforeseen. Shāh Ṭahmāsp was¹ not in a position to interfere even if he liked to do so as he was busy in the west. However, he continued to watch the events in the east in the fond hope that the civil war and political necessity of the Timūrids would again compel them to seek Persian help as Bābur and Humāyūn had to do. But his expectations were not realised. On the other hand, the fall of Bairām was followed by an all-embracing Sunni reaction and revival of Chaghtāi traditions. Decisions in matters of religion were henceforth no longer given according to Shī'ah schools of law. In the place of Shaikh Gadā'i the Shī'ah Ṣadr-us-Ṣudūr of the period of regency, was appointed the Sunni 'Abdū'n-Nabī after a short interval of Ṣāliḥ Harvī. 'Abdu'llāh Sulṭānpūrī, became the chief Qādi. With their appointment as the highest religious dignitaries, the entire religious outlook of the state changed. It was the tenth century of Islām and it had been

1. For Bairām's relation with Shāh Ṭahmāsp. See A. N. I. 241. (Text) Bad, ii. 52 (Text). Bairām's political position was a little ambiguous because "he ruled Qandahar with nearly absolute powers in correspondence with Humāyūn as his sovereign, though he represented himself to Shāh as his own master." *Shahar rā Bairām Khān ināyat farmudndta'alluq ba Shāh dārad.*

predicted that a Mahdī would come and restore Islām to its pristine position. India also was pulsating with the Mahdi movement, more than one person claimed the dignity of Mahdi.¹ To countetact the Mahdi movement, the Sunnis became more and more violent and persecutions became the order of the day. Akbar himself did not grudge the steps that were being taken against the Mahdists². In the 15th and 16th centuries of the Christian era, there was wave of *renaissance* passing over many parts of the civilised world. It was a century of scholasticism, of doubts, of enquiries, of whys and wherefores. There was a classical *renaissance* in Europe, *Ming* literarary revival in China, *Ṣāfism* and *Bhakti* cult in India, *Ismā'ilism* in Persia and *Mahdism* in Badkshan. In Islām there were supposed to be as many as 72 sects³ and the predominating tendency, at this period on the softer side of Indian life, both Hindu and Muslim, was ethical, influenced by the *Bhakti* cult as preached by Hindu and Muslim Saints. The forces that had been working for the last hundred and fifty years since the time of Kabir, now came to a head.

Akbar was the first of the Timūrids to be born in India, the first of the Timūrids to marry

1. For details of *Mahdī* movement, see A'in Blochmann, Ed. 1927, pp. 113 N. 2, 178, 198, 201.

2. Bad. ii pp. 198-99 Text Bib. Indica. for details of the story of attempted persecution of Shaikh Mubārak on the ground of being a claimant to the dignity of *Mahdī*. *Wa Sā'ir-i-'ulamā muttāfiq'-'ilafz wal m'anā Shudāh ba'arā resūmidand Ke Shaikh Mubārak Mahdāvī niz' ahl-i-bid'at ast.....al Akharah.*

3. Bad. op. cit. (Text), ii., p. 287. *Bar in āwardand Ke halann Ṣāhib-i-Zamān-i-Ke waqī'i-i-Khilāf wa ihtitāf haftād wa du Millat az Must'im'wa Hindū bāshad.*

a Hindu girl, and the first of the Tīmūrīds to start his administration against a back-ground of Sher Shāh's conciliatory policy. Indeed, he was destined to turn a new leaf of Indian History and during his reign, the entire religio-political outlook of the state changed. During the second decade of his reign Ākbar was passing through many religious experiments and mystic experiences which have their natural influences on him as Badā'ūni described in his "Cream of History"¹. The territorial conquest, administrative reforms, settlement of lands, the reorganisation of the Qāḍī and Ṣadr departments of the state could not but have their natural reaction on the life of Ākbar as a whole. Discontent was gathering outside, and Ākbar was unconsciously adding fuel to the fire by his discussions on religious problems with the non-Muslims. The century-old *illuminations* of different races that had inhabited the earth were placed before the Emperor, his vision widened and he began to see things in a new perspective, not always coloured by the orthodox interpretation of the Faith.

In the mean time some important events occurred in the trans-Indian Muslim states which did not fail to have their repercussions on the Tīmūrīd politics in India. Salim, the Drunkard, was succeeded by Murād III in 1574 A.D. and his only mission in life was to secure succession for his young son and freedom from the Persian opposition. Shāh Tahmāsp had actually sent an embassy to

1. Bad. II (Text) p. 200.

Constantinople to assure Murād III of his help. But unfortunately Shāh Ṭahmāsp was murdered in 1576 A.D. while the envoy was still in Constantinople and his death was followed by eleven years of chaos all over Persia. The Turki Sultān Murād III directed an attack against Persia through Georgia and tried to stir up the Sunni vassals of Iran¹. But his position was hardly better than that of the Shi'ah rival. His soldiers were still busy in Georgia, when the great Vizier Sokoli was murdered in Europe in 1578 A.D. In the meanwhile Ākbar had consolidated his position and made himself the undisputed master of a large part of Hindustan. Under him the position of Timūrid house was more secure; and it was no longer necessary for Ākbar to placate Persia or Turkey as his father and grand-father had been obliged to do on several occasions. For him, it was an opportunity to make an open proclamation on the position of the Chagtāi' house, though even without a proclamation the real situation would have remained the same. But in that age of chivalry and diplomacy, such formal announcements were interpreted as the final stage in the bid for honours². He read the Khutbah in his name as was done by many of his predecessors. He assumed the title of Khalifa-u'-Zamān and it was nothing but a repetition of what had been done by more

1. J. R. A. S., 1924, p. 603.

2. The contest for honours amongst the powerful houses of the contemporary Muslim rulers of the east is clearly marked by four stages :—

(1) Tīmūr and the 'Uthmānī contest culminating in the battle of Angora in 1402 and Tīmūr transferring the *Darul Khilāfat* to Samarqand.

or less as a fashion at that time, yet the assumption of that epithet by Ākbar just after the demise of his two important rivals along with the recitation of the *Khuṭbah* had a significance of its own especially because it came just along with the recitation of the *Khuṭbah* with which his own name was also associated. The point becomes more clear when we remember the constant use of the word *Khalifah*¹ along with every other member of the house of Timūr. Ābū'l Faḍl who was so careful a writer, would not have associated the word so often with the name of his master unless he had a propagandist view behind it. Other epithets used to describe Ākbar, namely, *Khalifah Rasūl Allāh*, *Āmir-u'l Mā'minin*, *Mujtahid* and *Mujaddid*, had some theological association. That the orthodox group in the court sneered at this recitation of the *Khuṭbah* is clearly proved by the caricature which Bādā'ūnī made while he described the incident in his *Munta-Khabu't*

(2) The 'Uthmānli and Mamluk contest culminating in the handing over of *Khilāfat* symbols in 1517 by Mutawakkil to Salīm the Grim who became the leader of the Sunni vassals of Persia.

(3) The acceptance of the command of an army by Humāyūn under six-year-old Prince Murād, the third son of Shāh Ṭahmāsp in 1544, thus formally accepting overlordship of the Ṣafawīs. *Humāyūn in Persia* by S. Roy. This suggests that Humāyūn formally accepted Persian overlordship whatever might be its real nature.

(4) The recitation of the *Khuṭbah* by Akbar in 1577 after the disappearance of Salim the Grim in 1574 and of Shāh Ṭahmāsp in 1576 from the field of contest.

1. A. N. (B. I. Text).—Part I. 6, 17, 24, 30, 65, 78, 99, 111, 117, 120, 245, 303, 312, 341, 346, 350, 361, 362, 364, 365.

Part II. 1, 15, 19, 23, 27, 34, 35, 52, 57, 76, 160, 184, 344, 371.

Part III. 16, 256, 268, 274.

Tawārīkh¹. Ākbar, astute certainly he was, was not unaware of the psychology of the orthodox, and to allay the discontent of the Sunni group, he sent that very year Ḥakīm 'Āin-u'l-Mulk to Makkaḥ with five lakhs of rupees for the Sharif and the learned men there. At the same time, he undertook measures to satisfy the Persian element at Court and the great festival of the Naurūz was celebrated with unusual eclat. But that was not enough. There is a school of modern historians who want to belittle this recitation of the Khuṭbah as a mere 'unmeaning formality'. That the contemporary people laid sufficient emphasis on this recitation of the Khuṭbah is demonstrated by Mirzā Ḥakīm's recitation of the same inserting his own name at Kabul as a challenge to Ākbar. Ākbar was aware of the fact that the Persian Shāh was not at ease at the rapid expansion of the Timūrid empire in Hindustan. Ākbar knew that his half-brother Mirzā Ḥakīm in Kabul was being made a hero destined to fight against the liberal tendencies of his empire. The rebellion of the Mirzās of the north-west was the logical outcome of the unpopular measures which Ākbar had taken against the irreconcilable Sunni and Shi'ah 'Ulamā' and the discontented Jagirdārs and Āymadārs who had been deprived of their vested interests² in course of the survey settlement and reorganisation of the land revenue system. Behind the

1. For reference during this period, see Bad. II., pp. 256-262 Text.

2. Smith, Akbar the Great Mogul, pp. 184-85.

screen the rebellion was inspired by political grievances as well as religious motives. And the Persian Sultān was not unwilling to extend his assistance to Mīrzā Ḥakīm because a strong Ākbar was a greater danger to the Persian supremacy than a strong Mīrzā Ḥakīm¹. Moreover the disorganisation of the Timurid empire would indirectly mean the decrease of Sunnī influence in a neighbouring country.

Fortunately Ākbar succeeded in suppressing that rebellion and Persia failed to interfere effectively in Indian affairs due to the turmoil consequent upon the murder of Shāh Ṭahmāsp. To vindicate the superiority of the Timūrid house in the Muslim world he had now had to deal with Constantinople, while the Ṣafawī house was disorganised after the demise of Shāh Ṭahmāsp. Abū'l Faḍl says, "Ākbar wanted to make a combination with the Christians in Europe against Rum as his great predecessor Timūr had done". It does not require much imagination to conjecture that the visit of an embassy to the court of Ākbar was not probably unconnected with the events of the Court of Constantinople.² Ākbar actually expressed a desire to enter into an alliance with the king of Portugal against the 'Uthmānli Turks and his correspondence with 'Abdu'llāh Khān Uzbek regarding the possibility of an alliance against the Turks in 1586 A.D. has a

1. The Shāh of Persia often claimed the Mughal in India as his *Nawab* "meaning deputy." Even as late as 1628 A, D. Jahāngīr was referred to as a '*Nawab*'. *Tārīkh Ghilān*, p. 4, referred to in J. R. A. S., 1924 (p. 598 ff)

2. Bad. Text, ii., p. 274.

significance.¹ On one occasion Ākbar even promised help to Persia against the Turks. There is no doubt that Ākbar would willingly have availed himself of any opportunity of weakening the ruler of Constantinople. A direct military action was not possible owing to the distance. Yet there is no denying the fact that both the 'Uthmānīs and Timūrīds looked upon each other as rivals, each willing to take advantage of the other's weakness and render assistance to the enemy of the other.²

From the year 1579 A.D. the Timūrīds stood on firm ground and they developed in their own way in Hindustan.³ Decisions in matters, religious and political, were given having due considerations of the need of the hour, not according to the strict Sunni dissertations, nor according to Shī'ah aphorisms.⁴ The Ṣadr and Qāḍī departments so long had been dominated by the Sunni dignitaries; but Ākbar was the first man to appoint Nūru'llāh, a Shī'ah, as Qāḍī in the Panjab. After discussion on the marriage question in the 'Ibādat Khānah (Hall of worship), it was decided that judgment could be given according

1. Monserrate, *Commentaries*, (Hosten), pp. 159, 163, 172. See post. p. 104 N. 2.

2. *Ruq'at-i-Abū'l Faḍl* (Lucknow Text), pp. 12-13 and A. N. (Beveridge), iii, p. 758.

3. Dr. R. P. Tripathi in a short appendix to his ably written work agreed with Buckler that the *MAHDAR* aimed at "pronouncing Akbar to be the Khalifa of his time" and refuted his suggestion that "it involved the elimination of the religious and political control of the Mughal emperors" of India, pp. 156-82.

4. We could rather call this period the growth of Indianism in Islām. Wherever Muslims went they influenced the culture of that country by imposing Arab Script, language, manners and social ideas but in India the influence of Hindu culture was most prominent on Islām during this period. A study of the *Qanun-i-Islam* of Herkelot may give useful hints in this direction. Titus has also written a book on Indian Islām from this stand-point in 1932.

to any of the schools of Sunni Fiqh¹. It was the best arrangement under the circumstances because the court was full of Persian poets, generals and Āmirs.² In order to accommodate the Persian element in the Court³ as some of his predecessors did, Ākbar laid more conscious stress on the Persian festivals, Persian language and Persian court formalities. This pro-Persian tendency of the Government in the field of culture may be explained with reference to the contemporary extra-Indian Muslim forces. The social aspect of Indian Islām is a peculiar mixture of various sectarian customs of different tribes and groups that entered into the arena of Indian society during this period, and of the closer association of Hindus in the state-affairs and in no small measure, it was made possible because of the liberal attitude of the Timūrids towards social unions between the conquerors and the conquered, and political *reapproachment* between the rulers and the ruled.

It may be pertinent to ask if Ākbar wanted actually to conquer the holy places of Islām. According to the orthodox jurists, the head of the Muslim brotherhood cannot be anybody except one who possessed the "Key of the Ka'bah and

1. Akbar's policy was noncommittal. The Shī'as might as much claim him as one of them as did the Sunnis and he kept political balance between the two with the help of the Hindus. Bad .ii, p. 209 (Text).

2. Bad. (Lowe) ii., pp. 202-04. The final consummation of this process was the formation of the *Chihil Tanān* (the Forty 'Abdāls' who vowed to decide things not according to Traditions but according to reason. Ā'in, Blochmann, p. 205, N. 3 (Ed. 1927).

3. The Shī'ah influence on the court was maintained by the family of Mirzā Ghīath who occupied a prize position in the internal administration through Tāj Bibi. Āsaf Khān and Shayistah Khān.

held the guardianship of the sacred spots of Islām." But historically speaking, there is not much value in this contention because from 930 to 950 A. D. Makkah was under the control of the heretical Carmathians, and from 1238 to 1250 A. D. it was under the Rasūlids of the Yaman. Even the Holy Black Stone of the Ka'bah was removed and taken away by the Carmathians and the 'Abbāsīd Khālifah was only a helpless witness to the tragedy without being able to defend the holy relic. In a letter to 'Abdul'lāh Khān Uzbek there is a reference that Akbar wanted to go to Khurasan and have his name recited in the Khuṭbah at Mashhad¹ as is corroborated by Ruq'at-i-'Abu'l Faḍl. Taken along with the incidents of his asking 'Abdul'lāh Khān Uzbek to enter into alliance with him against the Turḳs,² his promise of help to Persia against the Turḳs in 1586 A.D. and his communications with Portugal, it is not inconsistent to suppose that Akbar looked upon the 'Uthmānlis with an eye of suspicion, jealousy and rivalry; and he always wanted to balance the power of the 'Uthmānlis by diplomatic actions.

There existed always a sense of rivalry between the Indian Timūrids and Rumi 'Uthmānlis, and many a malcontent with the Timūrid regime went to Constantinople to seek shelter under the Sublime

1. A. N. (Jarret), p. 115, A. N. III. p. 754-761 Trans. Ruq'at, Lucknow Text, pp. 12-13.

2. If Monserrate is to be believed, Akbar expressed his willingness to Rudolphus for an alliance with the King of Portugal against the Turks. He also sent letters to the Pope and the king of Spain though official reasons assigned to the embassy was to congratulate Philip II, on his accession to the throne of Portugal. Monserrate Commentaries, pp. 159, 163, 172.

Porte.¹ Burhān, son of Sikandar Lodi, sought shelter from Sultān Sulaimān of the Sublime Porte when he fled from the pursuit of Humāyūn in 1536 A. D. He was favourably received by the Sultān of Rum and was granted an allowance of 300 *aspers* per day. An embassy from Bijapur came to the court of Sultān Sulaimān soliciting help against Humāyūn. Prince Bysunghar, son of Dānyāl, went to Constantinople being pursued by Shāh Jahān to seek help from Murād III in 1632 A. D. Dārā Shukoh (1632-43 A. D.) sent an embassy to the Grand Vizier Mustafā offering presents to the holy shrines of Imām Ābū Ḥanifah and Saint Sayyid ‘Ābdu’l Qādir al-Ghilāni. Na’im suggested that the motive of Dārā was to secure the friendship and assistance of the Sultān’s friends in his scheme to ascend the throne of Hindustan. The letter of Dārā has been preserved in the collections of Isri ‘Ābdu’llāh published in Constantinople in 1732.² The geographical distance was unfavourable to any direct conflict between

1. Sir Jadunath is of opinion that the Indian pilgrims who returned from Makkah were responsible for spreading the glamour of the Khilāfat of Arabia. But Sir Jadunath’s view is only partially true because in every Islāmic country up to the 19th century, Khilāfat had a halo of its own as a sacred institution, and contemporary history testified to this fact. The use of the name of Khalifah in the *Khutbah* all over the Muslim world is significant in this connection. (Sarkar, Aurangzib, III, p. 118.)

2. Tr. J. R. A. S., London, 1828 A. D., pp. 462-86. This letter did not directly mention any thing about political alliance or resistance but ends with a request that the Vizier might be ‘pleased to hear what the envoy was commissioned to say’. Na’im’s suggestion is based on this request. This letter may be read in translation by Chavelier Joseph de Hammer, Oriental Translator to the Emperor of Austria., Transactions, J. R. A. S., 1830.

Hindustan and Rum. Moreover the existence of Iran in between the two countries did not permit any direct action; on the other hand, no political alliance was possible between the Şafawis and the Timūrids against their common enemies, the 'Uthmānlis, because the Timūrids were Sunnīs and the Şafawīs were Shī'as.

It may be pertinent to ask why Akbar did not try to recover his ancestral dominions in Central Asia. Unfortunately for Akbar, 'Abdu'llāh Khān Uzbek, son of Iskander, occupied Bukhara and made himself king (of Turan & Mawar-u'n-Nahr) in 1556-57 A. D., the year in which Akbar came to the throne of Hindustan. 'Abdu'llāh Khān greatly increased the limits of his kingdom by the annexation of Badakhshan, Herat and Mashhad. He was too powerful to allow anybody to make any encroachment on his dominion. That Akbar did not like to see the growth of 'Abdu'llāh Khān Uzbek is proved by the fact that any exile from his court could find a ready welcome at Akbar's court. But he could not afford to make an open breach with 'Abdu'llāh Khān though he would not refuse to join his rivals outside India if such opportunity occurred. Personally Akbar humoured 'Abdu'llāh Khān by inviting him to Fatehpur Sikri and giving him a great welcome in 1576 A. D. He intended to utilise him to balance his power against that of the 'Uthmānlis on one side and the Şafawis on the other.

The imperialistic psychology which Jahāngir inherited from his father would not tolerate any

political superior, nor would his wilfulness allow any *Mulla* to take the position of pride in the state. The *Khuṭbah* as usual was recited in his name and he styled himself as *Khalifah* as his father had done. The formal background of his state was Islāmic but the actual practices were what might be regarded by the orthodox Sunnis as "profane". The customary *Sijdah*, the *Ilāhi Era*, the use of *Āllāho Ākbar* (instead of *wa' Ālāykum u's-Salām* and *as-Salām'u Ālāykumm*) in greetings, freedom of building places of worship by the non-Muslims and similar unorthodox practices were continued by *Jahāngir*.

So far as relations with *Rum* were concerned, he was not willing to recognise any sovereign superior to a *Timūrid*.

The political and geographical situations were not favourable to any direct breach between *Delhi* and *Constantinople* as has been told already.¹

We have no record of any direct contact between the *'Uthmānlis* and *Timūrids* during *Jahāngir's* reign. The *Hindustani* Muslims went to offer pilgrimage to *Makkah* and were not persecuted. Presents in cash and kind were sent on ceremonial occasions to *Makkah*. *Jahāngir* did not pursue the project of building a pilgrim house at *Makkah* which was conceived by his father. That the *Hindustani* Muslims were not persecuted by the *Ārabs* under the *'Uthmānli* influence may be explained by the fact that they carried large sums for presents and that in the precincts of the Holy City of *Makkah*

1. J. R. A. S. 1924 pp. 594-96.

no pilgrim could be persecuted on mere political pretext.

So far as Persia was concerned, Qandahar once again loomed large for reasons both political and economic. Through Qandahar lay one of the trade routes between Hindustan and Persia; It was also one of the recruiting centres for soldiers; finally it was a strategic military spot. It was the traditional sore point between the Timūrids and the Ṣafawīs from the days of Shāh Ismā'il. Shāh 'Abbās, the Great, now tried to persuade Jahāngīr to cede Qandahar voluntarily; diplomacy failing, the Persians took it by force in 1622 A.D.¹

So far as the Shī'ah religion was concerned, Jahāngīr was not a religious persecutor by nature and his wife Nūr Jahān was a Shī'ah. With her came her father Mīrzā Ghiāth (I'timād-u'd-Dowlāh) as one of the chief grandees of his state and also her brother Āṣaf Khān (Yamīn-u'd-Dowlah). The Raiput nobility had already been shelved to the background since Mān Singh's complicity in Khusrau's rebellion and they were suspected; as

1. Qandahar was under the possession of Bābur from 1522-30. It went to the share of Kāmraṇ during the partition of the kingdom in 1530. Humāyūn at first took it by force through Persian help and then by diplomacy from the Persians in 1545. It went back to Persia again in 1557-58 after Humāyūn's death, only to be reconquered by Akbar in 1594. During the reign of Shāh 'Abbās II the Ṣafawīs took it by force in 1622 from Jahāngīr.

For the Persian side of the question, see Ishkandar Munshī, *Tarikhī Ālām Ā'rāi 'Abbāsī* (1629 A.D.) Tehran Ed.

For letters exchanged between Humāyūn and Shāh Tahmāsp see Faīzu'l Qwānīn of Muḥammad Ḥussain 'Alī Khān, Hazratgāng Library MS.

a result of which Jahāngīr called him 'Old Wolf' and the Rajputs were supplanted by the Persian nobility. The Shī'ah-Sunni marriages were performed as usual. Shāh Jahān was married to a Āṣaf Khān's daughter Ārjumand Bānū and then to another girl of the Persian royal family, daughter of Mirzā Ḥussain Ṣafawī with the advent of the Persian ladies in the royal harem, the relation between the Shī'as and the Sunnis,¹ as expected, did not improve much owing to the intriguing nature of Nūr Jahān. The rebellion of Maḥabat Khān against Jahāngīr had the moral support of the Sunni nobility. On the whole, the influence of Nūr Jahān over Jahāngīr's India was not an unmixed blessing.

During the reign of Shāh Jahān transactions between Delhi and the Porte became brisk. As has already been noted, Prince Bysunghar, son of Dānyāl, flying from the wrath of Shāh Jahān sought shelter under Sultān Muḥammad IV of Constantinople in 1632. Shāh Jahān in order to counteract the influence of Bysunghar, sent to envoys to Muḥammad IV with presents. Bysunghar was refused help specially because he offended the 'Uthmānli sentiment by parading his Timūrid lineage. Ultimately he turned a Darwish and nothing is known of his last years.

In 1638 A. D. an envoy from Shāh Jahān's court reached Mosul where Murād IV was resting. The letter of Shāh Jahān to Murād was significant because the Sultān of Rum was referred to as 'True Believer',

1. Mu'tmad Khān, *Iqbāl-Namah* (Bib. Indica Text) p. 38.

though the tone of the letter, taken as a whole, was offensive. To this letter a sarcastic reply was sent through Ārsalan Āga, the Turkī ambassador, and the Timūrid envoy was detained at Mosul. Ārsalan Āga was sent back from Hindustan without any customary decorous letter in reply and the presents of Shāh Jahān contained simply a bottle of 'Itr of rose, two carpets and two felts.¹ Shāh Jahān's second letter was rather apologetic in tone and philosophic in sentiments. In the reign of Sulṭān Ibrāhim I (1640-1649 A. D.) no letter was exchanged and no diplomatic relations seem to have existed.

In 1652 A. D. an Indian envoy named Sayyid Āḥmad reached the Porte.² Muḥyū'd-Din, the Turkī plenipotentiary, accompanied Sayyid Āḥmad on his return journey with a letter of request for the purpose of supporting Naẓr Muḥammad, the Khān of Uzbek, reconciling him with his son 'Abdul 'Āziz through the interference of the Indian monarch.

Dārā Shukoh sent Mulla Shakī with a letter to the Grand Vizier, Mustāfa, between 1639 and 1643 A. D. His presents contained one sword, one dagger and one brilliant *Sirguja* (ornament for the turban) "the principal diamond of which was bigger than any worn by a Turkī Khālīfah." Dārā's envoy being a learned theologian was very much honoured by the 'Ulamā of Constantinople and he was entertained with discussions on theology

1. This letter has been preserved in the Annals of Na'im. Constantinople, 1732.

2. This time the presents from India contained amongst other things an emerald dagger set with the purest diamonds. Tr. J. R. A. S. London 1830, pp. 472-74.

and religion. The Grand Vizier reciprocated presents by sending to Dārā one emerald-hilt dagger, twenty-five maidens and an Arabian horse. The ambassador himself was presented with 6000 ducats, a pelisse and a ruby-caparisoned horse. No Indian ambassador was ever before honoured in this way. A careful study of the letter of Dārā sent through a learned Mullā and of the reply by the Grand Vizier¹ throws light on the prospective war of succession which came at the end of Shāh Jahān's reign.

Shāh Jahān intended to preserve the orthodox structure of the state; as such he revived the orthodox practices which had fallen into disuse during the reigns of his father and grand father. 'Abdū'l Ḥamid Lāhorī called him the 'Pillar of the Law'. He reserved the right of giving final decision even on religious issues.² So far as the position of honour in the community of the Islāmic peoples was concerned, he was very keen on it. In course of a discussion in Persia, his envoy, Khān 'Ālam, claimed that his Emperor was Dhil-i-Ilāhi, Shadow of God.³ He continued the custom of presenting himself from the *Darshaniya Manzil* (Hall of Presence) every morning and was pleased to hear the address of Pandit Jagannāth as दिल्लीश्वरो वा जगदीश्वरो वा, (The Lord of Delhi is the Lord of the Universe).⁴

1. The letter has been preserved in the collections of Turki State papers published from Constantinople in 1732 A.D.

2. Chahār Chamān, 276 F.

3. Lāhorī, Bādsāh Nāmūh II. p. 461. A. S. B., 1869. *Aḥkām-i-Sharī'at-i-gharrā wa ḥawābiṭ-i-millat-i-baiḍā rū jār-i sūzīm*,

4. Qanungo, *Dara Shukho*. pp. 379-80.

Regarding his relations with Persia, the matter was a complex one, because she was a neighbour, the ruling dynasty was Shī'ah and the major portion of the population professed Shī'ism after the Ṣafawīs, while the ruling dynasty in India and the major portion of the population were Sunnīs. No doubt Shāh Jahān was a Sunnī and his wife, Mumtāz, was a Shī'ah; the culture of the state was Persian, art was considerably Persian, the official language was Persian and his chief-of-the-staff was his father-in-law Āṣaf Khān, a Persian. In the court even a traveller like Bernier¹ did not fail to notice that the party division was based on Shī'ism and Sunnīsm. Shāh Jahān did not persecute the Shī'as as such; though the Shī'as at court were not his enemies, the Persians outside were. The tradition of rivalry between the two countries was often focussed on some particular point and the apple of discord was not so much the theoretical claim of religious superiority of Shī'ism or Sunnīsm as was the possession of Qandahar. As has already been mentioned, Qandahar was surrendered by the Shāh's officer named 'Alī Mardān in 1638 and Qandahar remained in Mughal possession for ten years (1638-48 A.D.) The interest of the Ṣafawīs in Qandahar may be measured from a remark of Shāh Ṣafī to Sa'īd Khān, "he could afford to lose either Iran or Baghdad but never Qandahar, for the recovery of which he would

1. Bernier, Travels. p. 128,

spare no exertion."¹ The success of Shāh Jahān in occupying Qandahar emboldened him to dream of redeeming the unredeemed portion of his patrimony in Samarqand including the whole region of Badakshan and Balk.² Unfortunately, the adventure was not a success; reverses in Central Asia were followed by a fresh seizure of Qandahar by the Persians in 1649. In vain did Āurangzeb and Dārā try to recapture it. Even in the Deccan Persia outmanœuvred Shāh Jahān. In his letter to Golconda, Shāh Jahān demanded the abolition of the Shī'ah practices which he thought, amounted to subordination to the Persian Shāh.³ The Shāh succeeded in compelling the Sultān of Golconda to recite his name in the latter's Khaṭbah thus asserting his pretensions over a Shī'ah ruler of southern India.

Āurangzeb continued the traditional titles and associations of the Timūrid family and he despatched presents to Makkah for the Sharīf and the learned.⁴ In 1684 he went so far as to entrust

1. Lāhorī. II, (Text) 49. *Chunān chih Mukarrar gufatah ke az Irawān wa Baghdād mitawānam dīl bar grift. Ammā tā maqdūr ast dast az taslchir Qandahār bāz nakhāwām kashid.*

2. Tr. J. R. A. S. London. 1830. pp. 472-73.

3. Proceedings of the Indian History Congress. Hyderabad, 1942. J. N. Sarkar's Article for details, Lāhorī, op. cit. II. 125.

4. Acc. to Manucci, Vol. II. p. 114. The Sharifs of Makkah at first refused to accept the gifts sent by Āurangzeb because he was not the ruler as his father was still alive. Sir Jadunath (*Aurangzeb* III. p. 103 F.N.) doubts the truth of this statement. He suggested that there was some hitch between Delhi and Makkah on the ground that the official history was silent about the incident. But the point becomes clear if we take into consideration the prevailing custom of succession in Mughal India and the refusal of the Qādis after the battle of Samugarh to recognise the succession of Āurangzeb and the consequent requisition of Wahhāb Bohra to validate his succession by issuing a *fatwa*. Sarkar. op. cit. II. p. 83. For details of 'Abdu'l Wahhāb Bohra's life, see *M. U.* Vol. I. pp. 235-41.

the Shaikh-u'l Islām with casket full of supplicatory letters addressed to the Prophet requesting him to place it at the foot of the tomb of the Prophet¹. The Sharif's agents used to come and stay at Delhi and levy contributions in the name of the Prophet.² So far as the Sultān of Rum was concerned, Aurangzeb did not like to yield to him in his pretensions as the leader of the Faithful as his father did through his letter to the Sultān of Rum in 1650. Shāh Jahān had addressed the Sultān as the master of the Eastern Roman Empire and Caesar of Rum with a title which covers nearly five lines of manuscript, though he did not actually address him as Khalīfah. Rather, Aurangzeb did not shake off the word Khalīfah from the list of his august titles.³ He did not fail to utilise any opportunity to court friendly relations with the enemies of of the Sultān of Rum. He offered welcome to Husain Pashā, Governor of Basra, whom he made a commander of five thousand (1669). Soon after, his successor, Yaḥyā Pāshā was similarly honoured in 1671.⁴

So far as Persia was concerned, Aurangzeb could not outgrow the age-long spirit of rivalry between the Timūrids and the Ṣafawis. In the reign of Shāh Jahān matters came to a breaking

1. Sarkar, *Aurangzeb* III. p. 114.

2. For Makkah gifts, see Khāfi Khān II, p. 412, Bernier, p. 133.

3. For Shāh Jahān's letter to Turkey, see Warith—*Pādshāh Nāmah* 55 a—56 b. Ms. Khuda Buksh Library, No. 6533. Even Shāh 'Abbās addressed the Sultān of Rum as mere *Khandakār of Rūm*.

4. *Storia de mogor* II, p. 115. *M. U. Text.* pp. 241-47. *Ma'āthir-i-Ālmgarī*, p. 155, Text.

point owing mainly to the dispute about Qandahar. At the out-break of the war of succession the Shāh of Persia intrigued with Dārā and Murād and also wanted to rouse rebellion in the state by encouraging the two Shi'ah rulers of the Deccan against the Sunni Mughal emperor¹. But when Aurangzeb was firmly seated on the throne of Hindustan, the Shāh sent an embassy under Budaq Beg to congratulate him. Aurangzeb reciprocated by giving the envoy a grand royal reception befitting the Mughals (May, 22, 1661 A. D.)². Even in this letter of congratulation, Shāh 'Abbās was careful enough to remind him of the assistance which his ancestor Shāh Ismā'il had rendered to Bābur and that of Shāh Ṭahmāsp to Humāyūn. He wished to continue the same relations with the Tīmūrīds though he regretted that he had been forced to take back Qandahar from his father Shāh Jahān. Shāh 'Abbās offered him unsolicited help against any enemy, as his 'ancestors had been gracious enough to give to Aurangzeb's ancestors³. This letter promising him help, taken as a whole, stands as an instance of tacit Ṣafawī claim of superiority over the Tīmūrīds which inspite of a long series of incidents repudiating it throughout the last three reigns, could not absolutely be forgotten by the

1. Sarkar, Aurangzib III. pp. 125-127.

2. Letters of congratulation were sent to Akbar, Jahāngīr and Shāh Jahān too. In 1556 A.D. Akbar got a letter from Sulṭān Sulaimān through Sidī 'Alī and another six years later. Aurangzeb received letters of congratulation from the Sharif of Makkah, from Bukhara, Kashghar, Khiva, Shahr-i-Naw, from the Turki governor of Basra, Hadramaut, Yaman and Mocha and from the king of Abyssinia. Sarkar, *Aurangzib*, III., ch. XXIX.

3. Lāhorī, pp. 261-262. B. I. Text.

Iranians. The psychology behind the correspondence that passed between the rulers of Persia and the Timūrid emperors of India and there are many such letters of correspondence,¹ indicated that the Persians always flattered themselves that the Timūrids owed a debt of obligations, if not of allegiance to them for their past services to the family. For many years, as has been mentioned above, the possession of Qandahar was the criterion of honour. Except in the time of Akbar, the Timūrids did not enjoy any continuously advantageous position over the Persians. A Persian raid or invasion, actual or imaginary, was always a matter of anxiety. Aurangzeb sent Tarbiyat Khān, governor of Multan to Persia in 1663, as an envoy with large gifts to placate the Shāh of Persia with a letter drafted by Danishmand Khān. The Persian ruler gave him a half-hearted reception, and following a small difference, he threatened to invade India. An extremely indecorous letter was written to Aurangzeb through Tarbiyat Khān 'which is unworthy mention'.² In 1666, actually there was a rumour that an army of 'Shāh' Abbās was on the move to India through Khurasan and Afghanistan. Prince Mu'azzam along with Rājā

1. Even a cursory perusal of the correspondence and relations between the Timūrid princes and Constantinople vis-a-vis the Timūrids and the Safawis would give a fair idea of the psychological and political aspect of their relations. *Memoirs on the Diplomatic Relations between the Courts of Delhi and Constantinople in the 16th and 17th centuries* by *Chancelier Joseph de Hammer*, *Transactions J. R. A. S.* 1830 and *Relation between Mughal India and Persia* published Islamic Culture (1936) may be consulted. The correspondence may be read in original in *Faiyāz-u'l-Qawānīn* pp. 496-499 Ms. Hazrat-gang Library, Daftar I.

2. Bernier, pp. 146-151. For details of this threatened raid, See *Storia de Mogor*, ii, 146-148. 'Almḡr Nāmāh (Text, p. 974-75). *Unchih Mīan Shāh 'Abbās wa Tarbiyat Khān guḏhastah ba iḥtilāf-i-qawl-i-masnu' gardādah qābil-i-taḥrīr nīst.*

Jaswant Singh was sent with a large army to Afghanistan to check it. Fortunately, the death of Shāh 'Abbās on August 22, 1667, removed that fear. But Prince Akbar, when he fled from Hindustan after his unsuccessful rebellion against his father, found a warm welcome at the Persian Court. Within thirty-two years of the death of Aurangzeb the Persian pretensions over the Mughals were vindicated by the famous Persian invader, Nādir Shāh. Indeed, it is an irony of fate that the Persians who had partly contributed to the establishment of the Mughal Empire in India, finally contributed to its downfall.

Aurangzeb though born of a Shī'ah mother, disliked the Shī'as bitterly. He called the Persians by the name of Irānī Ghaul-i-Bayābān—carrion eating demons of Persia and Baṭīl Madhhabān—false believers; his sword was called Rafīḍī Kush—killer of the infidels; by them he meant the Shī'as¹.

Aurangzeb not only hated the Hindus but he could not even tolerate a Muslim who differed from the Sunni stand-point of Islām from which he looked at the Faith. To him, a Shī'ah deserved a worse fate, because being a believer in Allāh, in the Prophet and in the Revelations, he had no right to go away from *the Right Path* as he understood it. With Aurangzeb, religion was guided more by anti-Shī'ah leanings than by consideration of politics. The story

1. Manrique, op. cit. II. pp. 146-149. Khāfi Khān II. p. 202. The letter was published in 1920 in the Indian Historical Records Commission; it gives some idea of the relation that existed between Aurangzeb and Shāh 'Abbās II. R. A. S. B. 1874 p. 202.

of Raḥullāh Khān is an illustration in point.¹ That Shī'ah-Sunni differences formed a special feature in the politics of Āurangzeb is clear from the long letter which Shāh 'Abbās wrote to Āurangzeb (composed by Mirzā Ṭahir), in which Shī'ism was vigorously defended and Ṣafawī supremacy was glorified.²

The successors of Āurangzeb continued the long and gorgeous Khilāfat titles in their family by way of tradition. In their case these titles were empty sounds and carried no significance. There is one instance when the Persian Shāh wanted the help of Muḥammad Shāh in 1738 but under the advice of Niẓāmu'l Mulk, he did not send any help to Persia. After the conquest of Nādir Shāh in 1739, the Mughal Emperor became a mere political shadow, but he did not fail to tag the high-sounding titles after his name as the 'Abbāsids used to do after they had ceased to have any effective influence in the Islāmic world. It is significant that after the Sepoy Mutiny, Bahādūr Shāh, the last emperor, wanted to revive the Tīmārid empire in India on the ground that it was an imperishable religious institution and as such was not subject to dissolution.³

1. Sarkar. *Mughal Administration*, pp. 157-158.

2. This letter has been quoted in *Faiyāzu'l Qawānīn* pp. 389-398. Ms. Hazratgang.

3. *Accounts and Papers, House of Commons*, No. 162. dated March, 25, 1859.

CHAPTER II

THE MUGHAL POLITY AND ITS LEGAL CONCEPTIONS

When Muḥammad appeared at Makkah, Arabia, the cradle of Islām, was no state in the modern sense but was only a geographical expression. The entire peninsula was parcelled out amongst innumerable tribes, each under a leader called the Shaikh, *The elder*, or *The wise man*. The Shaikh was not a hereditary officer but was chosen on the death of his predecessor in office ; but in the course of time the office tended to become hereditary amongst several tribes. In spite of the existence of the Shaikhs and tribal leaders, the peninsula of Arabia was by no means independent and a part of the country was under the control of the Byzantium, Abyssinia and Iran. In internal affairs, the tribal leaders decided the relations between one tribe and the other, and between the different members of the same tribe. The social structure of the Arabs was based on three ties—of blood, of tongue and of common worship of the tribal gods. Every Arab traced his descent from a great ancestor whose exploits he prized as a sacred treasure and was delighted to recite and repeat. He longed for establishing the superiority of his tribe and of his tribal deity, and this often led to countless inter-tribal feuds. In many instances, these feuds had their origin in local fairs where the Arabs met on ceremonial occasions such as at

Hajar, Hadramaut, Ḥammān, Sana and 'Uqaz near Makḥah; in fact these fairs were the breeding grounds for inter-tribal outbursts. So far as Makḥah, the birth place of Muḥammad was concerned, the scramble for supremacy continued as usual, since the death of Quṣay (480 A.D) the sixth in descent from Fihir (Quraish.) For a time Quṣay was able to bring the administration under the control of the children of the Quraish tribe. Again, after the death of 'Abdu'l Muṭṭalib, the grand-father of Muḥammad, rivalry amongst the various branches of the dynasty of Ka'b, the fourth in descent from Fihir (Quraish) revived till Muḥammad was able to put down the embers the civil war by his message of peace in the land of war. The name Islām meaning peace for a religion amongst the warring people was most well-chosen and nothing could improve upon it.

But what Muḥammad established in Makḥah or Madinah was no state in the modern sense of the term. It was a brotherhood of the believers, a community of the Faithful, the *Ummat*; unlike a modern state it had no geographical limits; any one who believed in the unity of Allāh, in His revelations as embodied in the Qur'ān, in His Prophet Muḥammad and who recited the *Kalma*, was a member of the Brotherhood of Islām. The old triple tie of blood, language and gods of pre-Muslim Arabia was substituted by the tie of *Triple Faith* in Allāh, in Muḥammad and in the Qur'ān. In the *Community* of the Muslims, there was no need of a common cultural heritage, a common

racial affinity, or a common tradition which generally form the background of a modern state. The fundamental basis of the Millat was that the ultimate sovereignty¹ lay with Allāh and that the method of Government was to be in accordance with the Shari'at. To be a member of the Brotherhood of the Faithful required no preparation ; and simple "belief" in the unity of God and in the prophecy of Muḥammad was enough to include him within the fold of Allāh's *Chosen Community*. The Qur'ān says, "You are the best group of people raised up for the benefit of humanity"². The Muslim community is called 'the best people created to act as his Khalifah on earth'. They are the leaders of the rest for humanity. They have for their guidance the most perfect, chosen and favoured religion—Islām. For, the Qur'ān says, "This day I have perfected for you your religion and completed my favour upon you and chosen for you Islām as a religion"³. Allāh as the ultimate sovereign was the final law-giver and His laws were condensed into what was technically known

1. A political state without a religious bond (but only with its fundamental characteristics of common race, common heritage, common government, a compact geography and sovereignty) was not conceived in Islām. Nice distinction between factors 'political' and 'non-political' were not known to the Muslims of the age of the Pious Khalīfas, who conceived the world to be a Kingdom of Allāh in which "Man" was His successor or *Khalīfāh*.

2. Ibid. Surah, III. V 110. *Kuntum khaira ummatin ukhrijat li'n-nās*.

3. The Qur'ān Surah V. Verse 4. *Al-yawma alkamtu lakum dīnakum wa atmamtu 'alaykum ni'mati wa raḏītu lakum al-Islāma dīnann*.

as the Shari'at. The leader, Imām or Āmir of the community of the Faithful was formally subject to the Shari'at as much as any other member of the brotherhood. The Āmir could not change even a syllable of the Shari'at as revealed in the Qur'ān, unlike the modern state where the king, or the majority of the members of the state can modify, change or substitute the Law according to their will. These observations made on the conceptions of the Kingdom of Allāh do not cover the various aspects which a modern state connotes.

Possibly Muḥammad inspite of his will not to do so, found himself in the midst of a political organisation after the battle of Badr. He had to protect those who had *Surrendered* and had become *Muslims*. He had to deal with problems, which every modern state has to deal with in the course of its discharge of responsibilities to those who had joined the community of the Faithful. Further, the commerce of Makḳah brought it into direct contact with the neighbouring states, *e. g.* the Christian state of Najran, the autonomous Jewish colony of Yathrib and with Nabtean traditions and remnants of the imperialism of Himyar. The neighbouring peoples of Iran in the east, of the Eastern Roman Empire in the west and of Abyssinia had direct commercial relations with other Ārab merchants and Muḥammad's personal experience with foreign traders, when he was working as the trade agent of Khadija, his future wife, had influenced the formulation of his relations with the non-Muslim

neighbours. Moreover, there are on record actions in the life of the Prophet which have been characterised as the back-ground of the Qur'ānic State¹. Prof. Sherwani had chosen some political activities of Muḥammad as marking the beginning of the Islāmic state. The earliest of those political actions was the first pledge of 'Aqabah in 620 A.D. and that again in 622 A.D. In the first pledge, the twelve members of the community of the Faithful swore loyalty to the path of *Universal Immutable Law* and in the second pledge they swore allegiance to Muḥammad personally to the effect that they would *obey and if need be, defend the Apostle in every thing*.² The next important political act of Muḥammad was the grant of the famous charter to the Jews which amongst other things declared that "the citizens of the new state were to call themselves Muslims and that the two branches of men of Yathrib were to form a composite nation."³ Though the Jews ultimately lost those privileges due to their acts of omission and commission⁴ yet Muḥammad granted a charter of freedom to the Christians of Najran assuring them their lives, property and religion, and they were assured full liberty to practise their own faith⁵. Thus grew

1. H. K. Sherwani, *Early Muslim Political Thought and Administration*, Chap. 2. pp.44-47.

2. Ibn Hishām. 1. 1. 296.

Qāla Ṣallā'l.....ubāyi'ukum 'alā an tamna'ūni mimmā tam-na'ūna minhu nisā'ukum wa abnā'ukum.....qāla'l Barā'u ibn Maṭruh : linamna'annaka mimmā namna'u minhu uzuranā.

3. Ibn Hishām. 1-1.-341-44.

4. For details of Muḥammad's relation with the Jews, see Wismar, *A study in Tolerance*, Columbia University. 13 ff.

5. Fuṭūh-u'l Buldān I. Chap. 14. The Covenant of Najran, p. 76.

the Islāmic polity imperceptibly round the personality of the Prophet and the state evolved out of the actions of the Prophet guided by the *Inner Will*, expressed in terms of *Revelation*. Here in 'his life and actions, one finds wars, truces, pacts and conventions of various other matters of a purely temporal nature intermingled with fasts, prayers, privations and austerities, "reconciling the most irreconcilables." Muḥammad often gave orders and decisions to suit the local conditions and needs which the orthodox interpreted as indications of what should be done in such matters for all times and desired to apply them as universal propositions irrespective of time, place and circumstances. In trying to do service to the cause of Islām, the orthodox killed social and political initiative of Islām and thereby they impeded the natural growth of Islām. The tragedy was that the theologians, in interpreting the decisions of the Prophet, laid more stress on the form than on the spirit thus standing as an eternal barrier to the free and continuous progress of Islām. Because of their kinship with the Prophet, their natural acquaintance with the language of the Qur'ān and their habitation in the cradle-land of Islām, the Arabs made Islām the national religion of Arabia. Thus, behind the spirit of proselytisation, the national Arab movement turned onward to an ever-broadening zone of political influence through conquering, Islāmising and Arabicising new peoples, incorporating fresh factors in its complex achievements.

After the Prophet's demise his immediate disciples assumed the rule of Islām "inheriting the faith and the

government of the new state." This period may be called the formative period of the Islāmic state organisation joining the scattered links and supplying the missing ones. During this period, called the age of the Pious Khalifas (632-661 A. D.), the Qur'ān was collected and the secular state was organised. The revelations of the Qur'ān, the precepts of the Faith and examples of Muḥammad were applied to the problems of the rising Islāmic empire. At the end of this period new theories were sought to be formulated regarding the section of subsequent Khalifas. Though apparently all the different contending sides based their contentions and claims on the Qur'ān, their quarrels were principally due to the recurrence of the tribal spirit of the Arabs kept dormant by the influence of the Prophet for about half a century. This struggle led to schism both in religion and in politics and ultimately it "ranged the forces of Islām into narrow sectional groups swayed by conflicting alliances." Possibly the rule of 'Umar is the only instance when the ideal preached by Muḥammad both in matter and in form was more or less emphasised by his personal rule and example.

The regal period really begins with the 'Umayyads when 'the Community-rule of the Brotherhood of the Muslims' was destroyed for all days to come, and was then substituted by a dynastic monarchy. The tragedy of political Islām has been that except Ābū Bakr, father-in-law of the Prophet, who ruled only for two years, almost all the descendants and many of the more important disciples of the Prophet were killed by the followers

of the Faith who had received inspiration direct from the Prophet himself. During the dynastic periods of the Khilāfat many new problems arose in the course of military conquests, political organisation and local administration. The problems of Imāmat, its nature of government, rights and obligations of the rulers and the ruled were sought to be defined. The influence of the Roman Empire was most noticeable in the development of governmental departments; the Roman institutions were Arabicised by giving them Arabic names and personnel, especially in provinces which had been conquered from the Byzantine Empire. The Persian ethics of royalty and rituals of the court could be very well traced in the institutions relating to the kings and courts of this period.

The 'Abbāsīd period was the most important so far as the growth of Islāmic polity was concerned. The contacts which the 'Umayyads had established with the lands beyond Arabia now began to bear fruits. The study of the philosophy of the Greeks, their arts and medicine widened the Arab mind supplying one of the strata for the growth of Ṣūfism. The political structure of the conquered Roman provinces created rich political traditions, and contact with Iranian and Indian notions of state-craft opened new fields of experiment and adoption. And there was no dearth of Arabic scholars and jurists to give them Arab colour and touch, and ultimately to Arabicise them. The intellectual horizon of the Arabs distinctly widened by the encouragement which Khalifas like Hārūn and Mā'mūn gave to these scholars.

Though the Islāmic politics started with the conquest of Badr and developed with the questions of the election of Ābū Bakr to be successor to the Prophet and particularly with the succession of 'Alī, yet the real political philosophy of Islām began with the split of the Ārab hegemony into a number of independent kingdoms or principalities with or without formal tie with the central political institution of Islām known as the Khilāfat.¹ During the last phase of 'Abbāsīd rule the forces of Islām were divided into two cultural groups, Ārabian and Persian—the Ārabian group represented by the 'Abbāsīds who by the 9th and 10th centuries of the Christian era had distinctly developed Semitic ideology, and the Persian group representing the ancient Āryan culture now supported by the eastern Asiatic and Muslim states like Kharasan, Jurjan, and Āzarbaijan. The distinctive features of the Āryan culture were maintained by the Iranians by supporting the doctrine of incarnation through Shi'ism supporting 'Alī as an inheritor of the role of Muḥammad as held by Mukhtār. During the Samanid period the Persians shook off their cultural relations with Ārabia and supplanted the Ārabic by Persian culture in the eastern and western countries. The Persian contributions to Islāmic politics are noticeable in (i) rituals of royalty, (ii) in polish and

1. The historian Maqrīzī states that Muḥammad prophesied, "The Khilāfat after me will endure for 30 years, after that will come the rule of Kings—*Al Khilāfatu ba'di thalāthuna sanatan.* *Kanz-ul 'Ummal* Vol. III No. 3152.

Ibn Khaldūn says that after the death of Hārūn a'r-Rashīd there was nothing of the Khilāfat. Quṭubū'd Dīn says that the Khilāfat ended in 1258 A.D., when the Mongols conquered Baghdad.

dignity of ceremonies and, (iii) in political theories. Indeed, the Persians supplied the deficiencies of Arab culture in many respects.

The Turks by accepting Islām gave a new tone to the forces of Islām which were then being drawn into unseemly contests and idle intellectual controversies.

The Turks infused into Islām a new vigour which had characterised its early expansion and also of the Arabs too. In fact, even in the intellectual realm the Turks kept the balance between the Arabs and the Persians. During the period of supremacy of the Turks, the greater part of the traditions, Hebrew, Greek and Persian, which had been collected by the 'Abbāsids was systematised. They were extremely conscious of the political needs of their empire, its administration and culture, and political literature of a distinctive type was the product. No doubt, during the Arab rule it had begun, and under the Iranians it had continued, but during the Turkī period it reached its completion. Writers of this period looked upon political philosophy as a part of ethics, and its study was looked upon as necessary, if not compulsory.

The most important writers on politics in Islām were :—

1. Ibn Abī'r Rabi (860—940 A.D.) wrote probably at the time of the Khalīfah al-Mu'tāshim (833-842 A.D.) His most important work on politics was *Sulūk-u'l Mulūk fi Tadbiri'l Mamālīk*. Brockle-mann in the first volume of his *History of Arabic Literature* says, "the work is the first Islāmic political writing that we possess."

2. *Al Fārābi* (870-950 A.D.)—a Turk by birth; his principal works on politics are *Siyāsatu'l Madaniyah* and *Ārāu Ahli'l Madinati'l Fādilah*. Within a short compass, the author has very ably propounded the drift of Islāmic political ideas in the tenth century A.D.

3. *Al Māwardī* (974-1058 A.D.)—the famous Shāfi'ite Qāḍi of Baghdad; his main works on politics are :—*Qawāninū'l Wizārat wa Siyāsat-u'l Malik* (Laws of the Minister and Politics of the King) and *Al Ahkāmū's Sultāniyāh* (Regulations of Kings). The latter has been translated into many western languages and is often quoted by European authors.

4. *Nizāmu'l Mulk at-Tūsi* (1017-1091 A. D.)—the famous minister of the Seljuk Sultān Malik Shāh and Alp Arslān. His discourses on politics known as the *Siyāsat Nāmah*, were in reply to the question put by Sultān Malik Shāh as to the real cause of troubles of his kingdom. The author is endowed with a historical perspective and he freely draws from non-Muslim sources.

5. *Imām Ghazzālī* (1058-1111 A. D.)—one of the most well known scholars of Islām who wrote amongst other things on politics. His method is historical like that of Māwardī and *Nizāmu'l Mulk at-Tūsi*, but he laid more stress on the practices of the Prophet (Sunān) and of the Ṣaḥābis and Khalifas.

6. *Ibn Khaldūn* (1312-1406 A. D.) possibly the greatest historian of the Mediæval Muslim age. In his *Muqaddimah* (Prolegomena) which forms the first volume of his precious general history entitled *Kitābu'l 'Ibar* (Book of Examples), he laid great stress

on the comparative method of politics and he concluded that the state is founded on two principles, namely the Group-consciousness and Religion-consciousness of the people of the state.

Besides these writers on political philosophy, rulers by their actions created examples and precedents which had almost the force of law, such as the decree of Khalifah al-Mutawakkil concerning the position of non-Muslims.¹

Though a Faqih (a jurist) was a learned man in jurisprudence and law, he was a political thinker too. Imāms like Ābū Ḥanīfah, Mālik, Shāfi'i and Āḥmad ibn Ḥanbal in the course of their dissertations which were based on the Shari'at, interpreted the revelations of God and the sayings of His Prophet, and discussed questions concerning government from the religious point of view. Thus, in awarding punishment to an infidel who had reviled the Prophet, they incidentally discussed the status of the non-believers in the land of Islām ; or in assignment of punishment, these Jurists propounded principles, which touched politics as well as religion.

Even the commentaries on the Qur'ān have been discussed in such a way that they leave the reader in doubt as to where the law ends and politics begins ; in fact one runs into the other.

By the time Mughals came to India, the political structure of the state had been more or less defined. The Turks found Hindu ethics of royalty and institu-

1. Dr. Tripathi has made some observations on this point. Vide *Some Aspects of the Muslim Administration*, pp. 61-62.

tional life of India already accepted by their predecessors, and they incorporated them into the governmental structure of their administration. Formally accepting an orthodox structure, they made use of their native instincts to suit the need of the hour. The Slave adventures, the Khalji experiments, the Tughluq inconsistencies, the Lodi tribalism and the Sur's practical sense had contributed to the development of a political theory in the Indian Mughal State side by side with the Hindu ideals and practices.

The political conventions that grew in Mughal India may be summarised thus :—

1. The Dāru'l Islām in Hindustan was certainly a dynastic state. The state was looked upon as a family property of the ruler, succession to the throne was expected to be guided by the law of primogeniture, and often the throne went not to the eldest, but to the ablest member of the family.

2. Minority was no bar to succession.

3. Children born of a converted mother often succeeded to the throne.

4. Women could not succeed to the throne.

The ideal that the Islāmic state was a trust to be administered in the interest of the entire community of the believers, where every member would fit in a proper place, had been long defunct. The Mughal State was absolutely a family property of the Timūrid House; though the succession was often decided by a civil war, yet the throne went to none except a scion of the family but not necessarily to the first-born. Bābur's

division of the infant empire in Hindustan¹, Humāyūn's transfer of the kingdom to the water-carrier for a few hours², Shāh Jahān's proposal of partition amongst his sons on the eve of the civil war, and Āurangzeb's death-bed will³ are significant factors in the determination of the length of departure which Muslim potentates went upto in matters political. Theoretically, the legal position of a Muslim ruler is that he is nothing but a common citizen and is bound by law, like any other member of the brotherhood.⁴ How far the king was actually restricted by these limitations will be discussed in a subsequent chapter. There is no doubt that the Mughal Badshāh had his Ghul Khānah where the Imperial officers attended by special summons; sometimes his private assembly was called the Majlis-i Khās. Both were unofficial and informal, but these could hardly restrict a potentate from over-riding their advice. They were merely consultative called at the will of the king and dismissed at his command. Really these assemblies were not even as much powerful as the Arabian Council of citizens⁵.

Minority was no bar to succession to a Mughal

1. A. N. I. 123 Text.

2. Ibid. I. pp. 159-160 Text.

3. Khāfi Khān, E & D. VII, p. 386.

4. Al Faruq II. pp. 16-17 'Umar said, "I have as much right to your state fund as the guardian of the orphans has to his property." This was also the standpoint which Hākīm Maghisu'd Din pleaded before his Sulṭān Alau'ddin, Bārāni. op. cit pp. 90-91 (Text).

5. *Nadwah* was a consultative assembly of the Arabs. Sherwani. op. cit, p. 38.

throne. Bābur was a minor when he succeeded to his patrimony at Sammarqand; so was his junior, Jahāngir Mirzā, who contested the throne against him and supported by the Chaghtāi's. Akbar was a minor when he was raised to the throne by Bairām and so were Shāh Ismā'il and Shāh Tahmāsp when they ascended the throne in Persia. Khusrau and Bulāki were minors when they contested the succession in India. During the period of weak rulers, boys of twelve or fourteen were often made to ascend the throne for party interest.¹

Birth from a *non-Muslim* mother was not derogatory and no opposition was put to claimants born of *Hindu* mothers as in the Turko-Afghan period; Firūz Tugluq, who was a son of Nila Devi of Dipalpur house, was preferred to Muḥammad Tughluq's natural son. Salīm born of a daughter of Beharimal was crowned by Akbar himself. Khusrau, son of Mānbāi, a daughter of Bhagawān Dās was supported by a group of powerful nobles when he contested the throne. Shāh Jahān's mother was Jagat Gosawini daughter of Moti Raja. Kāmbaksh, though born of a Christian mother, was a great favourite of his father Aurangzeb.

Women could not succeed to the throne² though

1. Rāfi'u'd Darājāt and Rāfi'u'd Dowlāh are here referred to.

2. Shāh Begūm of Badakshan wrote to Bābur, "Though I being a woman cannot myself attain sovereignty, yet my grandson, Mirzā Khān can hold it." *Tārīkh-i Rashīdī*, Ross, p. 203.

The following are the instances when woman actually ruled :—

- (1) Lālā Khatūn at Kirman.
- (2) Pādshāh Khatūn at Kirman,

Nūr Jahān made the nearest approach to it having struck her portrait on the obverse of the royal coins¹. But the Khuṭbah was not read in her name.

When could a sovereign be deposed in Mughal India? There was no procedure defined in Islām by which a ruler could be deposed. The Qur'ān enjoins, "And do not follow him whose heart we have made unmindful to our remembrance, and he follows his low desires and his case is one in which due bounds are exceeded." In Mishkat¹ it is said "When two Khalifas have been set up, put the last to death and preserve the other, for the last one is a rebel."² In Mughal India, too, the monarch was sometimes turned out by war or rebellion. Humāyūn was ousted by Sher Shāh in a straight fight. Akbar was challenged by his half-brother Mirzā Ḥakīm from Kabul and by his son Salīm in Hindustan, Khusrau rebelled against his father Jahāngir, Shāh Jahān too rebelled against his father.

(3) Tandū in Mesopotamia and S. W. Iran. She fought against the Arabs, defeated and subdued them.

(4) Sayyidah, mother of Majdu'd Dowlah, king of Central Iran ruled as a regent.

(5) Dowlat Khatūn at Kirman.

(6) Shajāratu'd Durr, a slave girl ultimately became a ruler of Egypt.

(7) Ḍaifah Khatūn, niece of Salāhu'd Din, ruled as regent for her grandson in Syria.

1. Wright, op. cit. III., p. 7.

2. Mishkat. Kitābu'l Imārā, (Edition, Delhi) Bk. VI, Chap. I. p. 320. *Man bāya'a imāmann fa'aṭahu Ṣafqata yadihi wa thamarata qalbihi fa-l-yuṭṭihi in istatā'a, fa'in jā'ahu ākharu unāzi'uhu, fa'ḍ-ḡribū 'unaqal-Ākhar.*

Again Shāh Jahān was opposed by his nephew Bulākī at the beginning of his reign and by his sons Āurangzeb, Shujā' and Murād at the end. Āurangzeb, too, had the taste of a rebellion from his son, prince Ākbar. After Āurangzeb, in every reign there was an epidemic of contests for the throne. Theoretically, a Muslim is answerable to the Jama'āt and a weak or nervous monarch could be cowed by the Fatwā of the 'Ulamā representing public opinion. Actually, such a Fatwā was given by the Qāḍī of Jaunpur deposing Ākbar which ended in rebellion in Bengal.¹ A similar verdict was given by the 'Ulamā against Dārā Shukoh because he had "ceased to be a Muslim."² When Prince Ākbar rebelled, he got a Fatwā from some Mullas that Āurangzeb was irreligious.³ In fact the right to rule in the Mughal Empire belonged to the man on the spot. He that held the throne, ruled the state and commanded obedience.

The functions of the K̄halifah :—

Al Māwardī says in his *Aḥkāmū's Sulṭāniyyah*⁴ that the functions of a K̄halifah are :—

1. Defence and maintenance of religion,

1. A similar Fatwā was also issued by a Qāḍī against Bābur, who treated it with all seriousness and punished the Qāḍī appropriately—Bābur Nāmah, A. S. Beveridge pp. 687-88.

Bad. op. cit. II. (Text.) p. 276.

Mulla Muḥammad Yazdī dar Subah-i-Jaunpūr ra raftah Fatwā ba-wajūb-i-Kharūj wa baghī bar Bādhāh dād.

2. Qanungo, Dara Shukoh. pp. 400-401.

3. Sarkar, Aurangzib, Vol. IV. p. 406.

4. Al Māwardī, op. cit. pp. 23-24 referred to, in Arnold's Caliphate pp. 72, 75, 200.

2. decision in legal disputes,
3. the protection of territory of Islām,
4. the punishment of wrong-doers,
5. the provision of troops for guarding the frontiers,
6. the waging of war (Jehad) against those who refuse to accept Islām or submit to Muslim rule,
7. the collection and organisation of taxes,
8. the administration of the payment of salaries and public funds,
9. the appointment of competent officials,
10. personal attention to the details of government.

Al Māwardī sums up all these activities collectively and says that they constitute "the defence of religion and administration of the state."

Ostensibly the Mughal King had two-fold functions to discharge, though strictly speaking they are not divisible in Islām :—

1. Religious (Madhhabī)
2. Political (Siāyāsī)

As the "Pillar of the Religion," his main functions were :

- (a) Maintenance of the Sharī'at or the religious law,¹
- (b) Propagation of the Faith of Islām.²
- (c) Building of Mosques and making

1. Siyāst Nāmah, Text. pp. 31-32. The Ikhwānus Šafa holds that the king is the guardian of religion. Their and Meneh, ed. Dieterie pp. 14-19, 27.

2. Ibid.

provision for the maintenance of Mosques¹ and Makṭabs attached to them and of the 'Ulamā who interpreted the Law,

(d) Grant for Wāqfs, 'Āiyamas, Madad-i-ma'āsh, tombs and shrines,²

(e) Relief of paupers,³

Amongst his political functions were⁴:

(a) Extension of the territory of Islām,

(b) Defence of the territory,

(c) Good government of the Dār-u'l Islām,

(d) Protection of the Dhimmis,

(e) Realisation of the Jeziah.

1. The Basātin-u's Salaṭin says that no one should be allowed to construct a Masjid in the city without royal permission. Construction of a Masjid was looked upon with disfavour if sufficient means were not provided for its maintenance. If it was absolutely necessary to build a Mosque in any particular place, the state was to build and maintain it. Ms. Buhar Library, Calcutta 359 f.

2. Here are some important instances of royal grants for the scholars and the pious men :—

(a) Badā'unī as a scholar received 1000 bighas as Madad-i-Ma'āsh, (Bad. II. p. 342) Text.

(b) 'Abdū'n Nabī granted 100 bighas to each teacher of Ḥadīth. Ibid. II 205, Text.

(c) Maulānā Muḥammad Amīn of Lahore was granted 1000 bighas of land by Jahāngir.

(d) Shams Khān of Kabul was granted five villages near Kabul by Jahāngir.

(e) Ḥamūn, a faqir of Awadh was given one village (Lāhorī, Bādshāh Nāmāh II. p. 409).

3. Ābu'l Faḍl says, "Every beggar whom His Majesty sees, is sure to find relief" (Ā'in, Blochmann p. 266) Badā'unī mentioned that Hindus and Muslims were equally helped. *Khairāt-pūrā* was a public Alms-house much better organised than the poor houses of contemporary England. We have some other instances of royal charity in contemporary records.

4. These functions have been classified by W. Hussain, op. cit., pp. 10-12, 134-139. (Continued on Next Page)

The laws of the Mughal Empire :

Ordinarily a Muslim jurist would divide the law as follows¹ :—

Special privileges of the monarch in Mughal India :—

- (a) *Jharokā-i-darshan*—appearing on the balcony was introduced by Akbar. In an age of personal rule, when the whole empire rested on the life of the monarch, the king by appearing before the public let the people know that he was alive. The religious aspect of the *Darshan* has been ably described by Abu'l Faḍl. (*Ā'in-i-Akbarī*, I, p. 156). In later times Jahāngīr, Shāh Jahān and Aurangzeb (up to the 11th year of his reign) utilised the *Jharokā-i-darshan* for doing administrative and judicial works.
- (b) Reservation of *Taslīm* and *Kurnish* by touching the ground by a subject with his hand and forehead (For a fuller description see *Ā'in*, pp. 158-159).
- (c) Conferring titles and honours—no *Ṣubādār* could do it.
- (d) Minting of coins could not be done by the public though forgery was not uncommon: imperial seal could not be used by any officer. Akbar issued a *Farmān* that no order would be valid unless marked with royal seal (*Ferishtah*, Briggs Vol. II. p. 198). Jahāngīr gave the seal to Prince Khurrām when he was his hot favourite. Jahānarah had the seal for some time in her possession. Aurangzeb kept it tied round his arm, suspicious as he was, Farrukh-Siyār gave his seal to Ḥussain 'Alī (Khāfi Khān, E & D, VII, p. 450).
- (e) Death sentence or blinding an offender could not be carried out except by the king's direct order, but in distant provinces this prerogative could not be enforced obviously.
- (f) No condemned prisoner could be restored to life or set at liberty by changing his faith without the Emperor's permission.
- (g) The Emperor could alone use a *Pālki* (palanquin) while going to Friday Prayers.
- (h) Weighing of body against gold was a royal monopoly: sometimes, princes were permitted to do it.
- (i) Kettle drum on the outward journey and *Damamah* on the arrival at *Darbār-ān* could not be beaten except to announce the king's departure or arrival.
- (j) Elephant-fights and contests were zealously guarded by Mughal Emperors.

1. The division has been mentioned by Basiruddin in his *Administration of Justice in Mughal India*. pp. 70-75.

(a) Religious law, *i. e.* laws against breaches of God's injunctions called *Āhkām-i-Shar'īyyah*,

(b) Common law *i. e.* laws against breaches of public morals such as laws against adultery, wine-selling called *Qānūn-i-Āmmah*,

(c) Laws against breaches of royal regulations called *Qānūn-i-Shāhi*.

(d) Laws against breaches of customs called *Qānūn-i-'Urf*. Theoretically, Aurangzeb accepted the following sources of law in a Muslim state as has been mentioned in the *Hedayah*, pp. xxv-xxvi : (Grady's 2nd. edn.),¹

(a) The *Qur'ān*,

(b) The *Uṣūl-u'l Uṣūl* (base of bases and *i. e.* *Sunāh*, practices of the Prophet),

(c) The opinion of scholars,

(d) The concensus of opinion, *Ijmā'-u'l 'Ummah*,

(e) The individual judgment of the *Qādis*, sanctioned by *Imām Ābū Ḥanīfah*—the *Qādis* could act on the principles of *Istihṣān* (public good), *Istiṣlāh* (public policy) or *Istiṣbāh* (concord).

The law of the Mughal Empire was not what it was in other Muslim countries. The majority of the subjects being non-Muslims, the Mughal sovereigns had allowed the laws of the non-Muslims to continue more or less as they found them. Law is after all, social conscience codified; the mediaeval Hindus were too conservative to part with their social customs. If the Mughals had been the first Muslim conquerors of India they

1. *Fatāwa-i-Ālamgīrī* III. p. 383 *Shar' Vaqayah*, IV. pp. 396-98.

might have introduced either the laws of the Sharī'at, or a set of laws mixed up with native Turki customs as they were in Samarkand. But being successors to the Turko-Afghāns, they had to accept the legal system of their Muslim predecessors as they found it in India. Further, India was not conquered at one particular period and therefore, a wholesale change of the laws of the country at any particular time was practically impossible.

Law as applied in Mughal India may be divided into :

- (a) Religious laws,
 - (b) Laws relating to administration,
 - (c) Criminal laws,
 - (d) Laws applicable to the non-Muslims,
- who were not subjects but had come to India for trade and other purposes.

In Islām, ordinarily there is no Government but that of Allāh and therefore, Islām according to the orthodox interpretation, hardly provided any sanction for separation of the Sharī'at from the State laws. Imām Ābū Ḥanīfah was the first Muslim scholar who advocated separation of purely religious laws from those that guided the daily life of an individual, though he ascribed divine origin to both and he pleaded for equal obedience to both. So far as the religious laws were concerned, the ruler had no choice. In the absence of any provision for a king in the Qur'ān, or of particular rules for his guidance, the ruler was bound as well as other members of the community by the Qur'ānic laws. He could claim no immunity from the

ordinances of the Holy Law, nor could he alter it. He had to give decisions within the limitations of the sacred texts, and he could not introduce any new Law. Strictly speaking, he could not promulgate any religious dogma, nor could he enforce any civil law contrary to the spirit of the Holy Law. If any interpretation was to be given, he had to seek the assistance of the 'Ulamā and the Muftis¹. But in the department of law, the personality of the ruler was a great factor and the precedents created by the early Arabian Khalifas were often cited. The four jurists Imām Abū Ḥanifah, Shāfi'i, Mālik, and Aḥmad ibn Ḥanbal were followed, though Imām Abū Ḥanifah was preferred. In India, the Mālikī laws were also applicable to the Sunnis though other schools of law were not un-recognised. Questioned as to the permissibility of Muta'h marriage in the Ibādat Khānah Badā'uni replied, "Imām Mālik and the Shī'as are unanimous in looking upon the Mut'ah marriages as legal; Imām Shāfi'i and the great Imām look upon the Mut'ah marriages as illegal. But should at any time a Qāḍi of the Mālikī sect decide that a Mut'ah is legal, it is so according to the common belief, even for the Shāfis and the Ḥanāfis. Every other opinion on the subject is idle talk"². Badā'uni finally gave his opinion that decisions given according to any

1. Khosla, *Mughal Kingship and Nobility*, pp. 150-52.

2. Bad. op. cit. II. p. 209. (Text).

Mut'ah nazdik-i Imām Mālik wa Shī'ah ba-ittifāq mubāh. Wa nazdik-i Imām Shāfi'i wa Imām A'zam ḥarām. Magar ān ke qāḍī-i Mālikī maqḥḥab hukūm-i ba-imaqā-i ān ba-kunad ān zamān ba-madhḥab-i Imām-i A'zam ba-ittifāq Mubāh mishwad.

of the four laws might be acceptable. Ākbar was the first monarch to appoint a Shi'ah Qāḍī, Nūru'llāh who was authorised to give decisions according to the Mālikī law at Lahore.

In laws of administration the Mughals had recognised that status of a subject depended not so much on the acceptance of the religion of the state as on his offer of loyalty to the throne.¹ Of all the countries conquered and ruled by the Chaghṭāi's, Hindustan was really the longest-administered country on a regular governmental basis. In India, for purposes of administration, new codes were created under the name of *Dastūr-u'l Āmal*, as Frederik the Great did in Prussia. From time to time Shāhi Farmāns were issued under the seal of the emperor in the form of instructions dealing with general principles of administration or with individual cases and events. Thus, a peculiar kind of laws and regulations were evolved in the Mughal empire known as 'Āyūn or Āḥkāṁ, which has been described by W. Hussain as *Jus Gentium*

1. Akbar introduced a new form of Oath of Fealty where sacrifice of property, life, religion and honour was passport to recruitment into state-service. The significance of this oath has been discussed by Bada'ūnī (II. 304). *Dar Dīn-i-Ilāhī Akbar Shāhī dar amudam wa maratib chār gunah Ikhlāṣ ke tark-i mal wa jān wa namūs wa dīn bāshad qabūl Kardam. Bad II, p. 304.* Following him Dr. Smith (Akbar, the Great Mogul p. 215) connected the oath with the Dīn-i-Ilāhī. I don't agree with them. The oath was introduced after the rebellion of Bengal in 1579 in which his Dewān, Shāh Manṣūr, was implicated while his half-brother Mirzā Ḥakīm was on revolt in Kabul, being encouraged by Shāhs of Persia. Akbar was forced to demand an oath from all officers on duty, on furlough and even from dismissed officers. Bada'ūnī connected this oath with the Dīn-i-Ilāhī which came a year after. (For a fuller discussion, see my *Din-i-Ilahi* pp. 240-43).

of the Mughal empire. These were an eclectic and elastic body of laws sometimes systematised, sometimes not, sometimes adding to and sometimes subtracting from the existing laws. These 'Ā'ins regulations dealt with different branches of administration and included law, justice, finance, revenue, army and what not. A clear view of the nature of these laws may be obtained from *Malfuzāt-i Timūri*, *Ā'in-i-Ākbari*, *Dastūr-u'l Āmal-i-Ākbari*, *Waqi'āt-i-Ālamgiri* and in *Āḥkām-i-Ḥamidu'd Dīn*¹.

Applicability of laws in Mughal India :

The covenant of 'Umar with the Dhimmis quoted in the *Kitāb-u'l Umm* states, "You be under Muslim laws and no other,...If any non-believer asks for judgment we shall give it according to the Muslim law"². The judicial structure in Mughal India was based mostly on the Islāmic traditions. The Muslim laws of marriage, divorce and inheritance were applied to the Muslims. Laws of evidence and contract were Islāmic and these were applied to the Hindus too. So far as the Hindus were concerned, the Hindu law was applied in matters of inheritance, marriage³ and affairs of a semi-religious nature like burning of a Sati (widow) and dedication of a Dev-Dāsī (temple girl). So far as the converts were concerned, the Mughals did not inflict on them the religio-social laws of Islām ; they were allowed to

1. Sarkar in his *Mughal Administration* has translated the *Āḥkam*. See *Dabistan*, Shea and Troyer, III. p. 127-148. In Bijapur, a *Dastūr-u'l Āmal* was prepared under instructions of Muḥammad 'Adil Shāh.

2. *Kitāb-u'l Umm*, p. 4, 118. Monserrate. op. cit. p. 219.

3. Bad, Lowe, op. cit. II. pp. 406-08.

have their customary and tribal laws if they so liked as was the case the with *Bohras* and the *Khojas* of Gujrat, and *Māmins* in Central and Western India¹. The liberalism of the Mughals in matters social is often in striking contrast to the tradition of the *Ārabs* who conquered the eastern countries in the early days of *Islām*.

In civil disputes between the Hindus and Muslims, the law applied was Muslim, and the Hindus faced enormous difficulties. As to matters concerning religion where the Hindus were involved such as removing materials collected by Muslims for building a Mosque² and *vice versa*, or a Hindu keeping a Muslim woman, a Hindu selling wine publicly—they were decided by the *Qādis*³ according to the Muslim Law.

In disputes between one Hindu and another, generally the Hindu Panchayet (पंचायेत) decided :⁴ The caste organisation was so rigid that not only civil but also some ordinary criminal matters came within its purview.

1. Titus, *Indian Islam*, p. 74. 'No Sati could be burnt without the permission of the State,' Palsaert says that on receipt of a petition for *Sati*, the Faujdār was to dissuade the widow but if she insisted, the permission could not be withheld. Remonstranti, pp. 78-79. (Moreland, ed. & trans).

2. Bad. op. cit. Vol. III. Trans. Haig. p. 129, W. Husain, Administration of Justice, pp. 14, 23, 55.

3. For details regarding the spirit of Mughal Laws, see F. A. VI. pp. 141-206; for a general view—see, Ameer Ali's *Spirit of Islam*. p. 249 and his *Muhammadan Laws*, p. 351.

4. When the Christians of Najran and 'Aqabah and the Jews of Khaibar submitted, Muhammad "conceded to them judicial autonomy where the parties were of the same community. Of course when one of the parties was Muslim, the case was tried by the state-courts." Monserrate p. 219. "Brahmanae govern liberally through a Senate and a Council of people....."

In criminal cases the Muslim law as modified by the Mughals was applied to both Hindus and Muslims; the decision was made by a Qāḍī from the time of Sher Shāh and Akbar with the help of Hindu *Pandits*.¹

But the actions of the Mughal empire can not be fully appreciated unless we refer to the great Muslim savant who breathed a new atmosphere in the whole structure of the Mughal empire in India, we mean Abu'l Faḍl, a son of Shāikh Mabārak of Nagor. An erudite scholar like Abu'l Faḍl could not but be conversant with the facts of the history of the Muslim countries as well as with the writings of the political philosophers who had preceded him. Like Nizāmu'l Muḥḥ at-Ṭāṣī, being a minister in charge of important affairs of the state, he was well aware of the actual administrative problems of the vast country of Hindustan. To the conception of Khilāfat as an Arab institution were added new political ideals, which had grown out of Central Asian, Iranian, Turko-Afghan and Indo-Aryan forces working together in India. A most noticeable feature of the period was the growth of hereditary kingship in Islām, which was not warranted by the Qur'ān, and along with royalty entered into Islām new ideas of state, sovereignty and government according to time, place and circumstances. And it was no small

1. Akbar ordered that the disputes between the Hindus should be decided by the Hindu Pandits and not by the Qāḍīs. Bad. op. cit., II. 356 (Text).

Fasādhā dar in qawm mīkhīzād wa muhāmīlah Hinduwān na Brahman dānā baqīṭa' risūnād na qāḍī-i Musalmān. Bad. II, p. 356.

task for these political philosophers to reconcile facts and traditions of history with the precepts of the Qur'ān and the biddings of the Sharī'at as we find in the case of Imām al-Ghazzālī who drew his conclusions as to how kingship could be adapted to the Islāmic ideal. "He brings down kingship to the level of democratic *emirate* by hedging it with the ideal set up by the Apostle of Islām and his successors"¹. By the time Abi'r Rabi (860-940 A.D.) came to the field, he found kingship an established institution in Islāmic states and he remained content by saying that "it is the will of the Divine Providence that the heads of society should be appointed to see that the Divine Laws for organisation of the people and their unity of action are properly enforced"². Al-Fārābī (870-950 A.D.) in his *Siyāsatu'l Madaniyyāh*³ discussed the question of Ra'is-u'l-Āwāl (the foremost leader) and likened him to the Primal Cause, that is God, the Almighty, and attributed to him twelve essential qualities, though he was conscious that those qualities could not be collected in one and the same person. Al-Māwardī (974-1058 A.D.) in his *aṭ Ḥkām-u's Sulṭāniyyah* discussed the position of the Imām or the Khalifah in the circle of brotherhood of Muslims and justified the existence of Imāmat for the preservation of the Faith and then he enumerated some special functions of the Imām⁴. Nizāmu'l Mulḳ aṭ-Ṭāsī made definite

1. H. K. Sherwani, op. cit. p. 226.

2. Abi'r Rabi, *Sulūk*, p. 102.

3. Al Fārābī, *Siyāsat-u'l-Madanīyyah*. pp. 54—49.

4. Al Māwardī—*Ḥkām-us-Sulṭāniyyah*. chap. I. for details.

statement about kingship in his *Siyāsāt Nāmāh*¹ where he says, "God the Almighty selects some one from amongst men and gives over to him the charge of the well-being of the world and the comfort and tranquillity of human race after duly furnishing him with the *acts* of government." Imām Ghazzālī, on the other hand, followed the double method in explaining the institution of Kingship in Islām in his *Iḥyā-u'l 'Ulūm*. Firstly, he maintained that they need the services of a man who would maintain the balance of society and save it from the turmoils of civil war; he finds the evolution of state-sense from a study of the "Abuse of the world". Secondly he says, "it is impossible to have a permanent organisation of worldly affairs without a ruler or a Sultān, and as without such organisation it would be impossible to act according to Divine Commandments with peace and order, such political organisation has the sanction of the law of Islām."² Thus, Imām al-Ghazzālī brings the institution within the scope of Islām though he knew perfectly well that it was not sanctioned by the tenets of the Qur'ān. Passing on to Ibn Khaldūn, one of the greatest of the political thinkers of Islām, we find that the main thesis in his *Muqaddimah* was that the state laws were founded on two great moral principles, namely sense of clan-feeling and sense of religion; and Ibn Khaldūn was a good student of comparative study of history and politics. Every philosopher

1. Nizāmu'l Mulk at-Ṭusi—*Siyāsāt-nāmāh*, p. 200.

2. Imām al-Ghazzālī—*Iḥyā-u'l Ulūm*. III. 6. Ed. Cairo, 1933.

except Āl-Fārābī, in the ultimate analysis based the existence of the kingship, or Imāmat, or Khilāfat on the Divine ordination. Every one of them felt that a Muslim King's primary duty was the maintenance of the Shara' and as such Kingship formed a part of Allāh's ordination.

By the time Ābu'l Faḍl came to the scene the traditions of the Muslim government in different parts of the world had been crystallised. In Islām facts came first, and theory followed next; Ābu'l Faḍl had the advantage of the lessons of history and he brought his powerful intellect to bear upon the traditions of Damascus, Baghdad, Samarqand and Ispahan which resulted in a new orientation of the Muslim political structure. The religious differences in that age of intellectual emancipation leading to the formation of new schools of thought like Sunnī, Shī'ah, Mahdī, Ilāhī and Ṣāfi, made the problem of government for Ākbar more complicated. The traditions of Damascus, Baghdad and Samarqand were essentially Sunnī and those of Iran after the Ṣafawīs, were definitely Shī'ah. Ākbar had followed an open-door policy and India was the abode of Sunnis, Shī'as, Mahadists, Ṣāfis, Hindus, Christians, Jews and of various other communities. So, instead of placing Ākbar in the role of the defender of the Sunnī faith, Ābu'l Faḍl pleaded for a universal monarchy for all peoples and propounded that "if the king does not regard all classes of man and all sects of religion in the single eye of favour...he will not be fit for the exalted office."

Abu'l Faḍl like his brother Faiḍi conceived a moral mission of sovereignty and this was characteristic of him¹ He conceived as the great savant Hobbes² conceived half a century after that the average man in the world is depraved and selfish; the average man is light-héarted and unthinking; in his attempts to realise his personal ends, he casts away considerations of humanity as easily as man casts away his glove. There is always a duel between the baser and the better elements of man; in this struggle the weak are always oppressed and tyrannised over. Abu'l Faḍl's characterisation of society is exactly of the type of Kautilya³ the famous minister of Chandra Gupta Maurya of Hindu India—it is Mātsya-nyāyas (मत्स्यन्यायः) large fish eating up the smaller ones). Out of this chaos man can only be delivered by the strong hand of a strong ruler and his salvation lies in his submission to a monarch, just and perfect. According to Abu'l Faḍl, "if royalty did not exist, the storm of strife would never subside." He defends the existence of monarchy on the ground of a monarch being "the origin and fountain of stability of society."⁴ Al Fārābī in his *Āra'ū Ahlī'l-Madīnatu'l Fāḍilah* propounded a similar theory that men were bound to submit to some one superior to them for their own protection by a contract for mutual renunciation of rights.⁵ Al

1. A. N. p. 285. Text.

2. Giddings, *Sociology*, pp. 6, 7, 37.

3. Kautilya. *Arthaśāstra*, Trans. by Sham Sastri. pp. 36-7.

4. Fārābī, *Ara'uhil Madīnatu'l Faḍilah*. p. 13 (Text.) Ed. Cairo: Nil, Press.

5. Al Māwardī—*Aḥkam*, Chap. I,

Māwardi in his *Aḥkām-us-Sultāniyyah* defends the foundation of the Imāmat for the regulation of the community so that "they might be free from molestation by the strong."¹ In fact, Ābu'l Faḍl in subscribing to the theory of the Mughal Kingship, followed his Indian predecessor Kautilya and anticipated his European successor Hobbes, the former defending the imperialism of his Maurya chief and the latter offering an apology for the absolutism of the Stuarts. Ābu'l Faḍl further introduces a touch of divinity into his monarch. "Kingship is a gift of God and is not bestowed till many thousand grand requisites have been gathered in an individual."² Similar conceptions have been propounded by the contemporary European scholars in defence of the theory of Divine Right in Europe. Of course, the idea of divinity is not expressly asserted in Islām as it is in the Chinese *Howangti*, or the Japanese *Mikado*, or the Indian *Rajan*, or in the Christian *Holy Roman Emperor*; but nevertheless the Islāmic ruler has sometimes been represented as the Zilu'llāh, the shadow of God, or the Khalifatu'llāh, the successor to Allāh. Shaikh Mubārak says in the Maḥḍar which he drafted in 1579 that "into the as Sultān-u'l 'Ādil Allāh breathes His own perfection."³ Ordinarily, a Muslim ruler believed that he was guided by the law as laid down in the Qur'ān and the Ḥadi'th, but Ābu'l Faḍl's Khalifah was guided by the law of Allāh as was understood in

1. A. N. Bev. Trans. I. p. 421.

2. Ibid. II. pp. 285-286.

3. Akbar wrote a book of advice for king 'Abbās Ṣafawī penned by Ābu'l Faḍl, in which he gave his ideas about kingly duties; for details, see Shea & Troyer, III. 136. ff.

the light of the spirit of the age. In fact, the immutable unchangeability of the Qur'ānic laws has been softened by the conceptions of the descendants of Timūr in India. For this, credit goes in no small measure to Ābu'l Faḍl. Theoretically, an orthodox ruler in Arabia felt that he had no scope for a personal initiative beyond the Shari'at, but the exigencies of circumstances compelled the Mughal emperors to evolve a new political philosophy and to make their own interpretations of events. The Arabian Khalīfah was expected to be democratic and guided by the voice of the Jama'āt, but Ābu'l Faḍl's conception of a ruler was essentially autocratic and supposed to be guided by the will of Allāh. As a leader of the Faith, a Muslim ruler was expected to maintain the distinction between a Muslim and a non-Muslim, but Ābu'l Faḍl's sovereign was "to maintain unity, equality and concord amongst the different religions." While the Qur'ānic society was more or less a missionary society, Ābu'l Faḍl conceived a political society with freedom of religion and toleration in worship. The propagation of the Islāmic law was an essential part of the programme of the Muslim ruler. Ākbar refused to do so, though Jahāngīr made a few conversions, Shāh Jahān made some more and Āurangzeb a still larger number. But, on the whole, the spirit of the Mughal political philosophy in India had a changed outlook. Half a century of Ākbar's rule had its desired effect in the abolition of the Jeziah and of the pilgrim tax and removal of many disabilities

1. Sulh-Kul (Peace with All) the doctrine of 'Abdu'l Latīf : for details see, Ā'in, Blochmann, p. 9, 11, 20.

on the non-Muslims in the military and other departments. Their preference for Persian to the exclusion of the sacred Arabic language, and the permission granted by them to Christians for making conversions to Christianity, had created precedents for which there was hardly any parallel in any Muslim country in any part of the world. However logical these changes may be to a modern mind, they were highly objectionable to the contemporary orthodox class. It is no wonder that the orthodox class branded the Mughal State as non-religious, if not 'profane'.

CHAPTER III

THE THEOLOGICAL ORGANISATION IN MUGHAL INDIA

Any man who has *surrendered* to God and has recited the *Kalimah*,¹ the creed, is a Muslim;² he belongs to the Jama'āt, (the Community of the Muslims). All members of the community are equal in status and a Mosque is open to any Muslim. None can prevent him from saying his prayers there, and he can aspire to attain any high position amongst the Faithful, if other members so choose. A mark of distinction for an individual member of the society is his personal illumination by attainment of *Ilm*—knowledge; and he is called 'Ālīm,—learned. The entire body of such men is known as 'Ulamā—the *illuminati*. The Prophet himself has said, 'The learned is my deputy,' 'Al Ālīmō Nā'ib-u'r Rasūl. They enjoyed the special attention of the common folk due to their exclusive devotion to the study of theology, their unceasing study of 'the word of God' (Kalimatu'llah) and of the Divine Law. But their theological learning, as such, did not give them any special spiritual powers as is claimed by the priests amongst the Christians or by the Brāhmans amongst the Hindus. A special feature

1. The Muslim creed—There is no god but God and Muḥammad is his Prophet.

2. 'Muslim' is a past participle of a root meaning "to surrender." 'Muslim' is he who has surrendered.

of the Muslim organisation is the absence of any ordained priesthood. There is no particular person or body of persons set apart for the performance of religious duties, which any other member of the general body of the Faithful is not competent to perform. Hence no *Church* in the modern sense has developed in Islām with any hierarchy of dignitaries as is found in some of the important religious organisations of the world. Absence of an organised and ordained priesthood in Islām has been the cause of much mis-understanding and mis-conception amongst Christian writers familiar with the Christian doctrines and the ecclesiastical systems attached to them with such terms as Pope, Bishop, Church, Clergy and so forth. In fact, it is very difficult to explain the Islāmic religious terms and concepts in a language which has no such conceptions, and to a people who are unused to the theological phraseology of Islām. The position of the Imām, which is so much emphasised in times of congregational prayers, is not the monopoly of any individual. Al-Bukhārī says, 'Even a slave, a nomad of the desert, a callow youth, or the son of a prostitute may act as an Imām.'¹ The office as such has no priestly character and the Imām is no special missionary. He is a mere layman as any other member of the community is. As a member of the community every Muslim has to fulfil certain obligations to other fellow members, the most important of which is the payment² of

1. Al-Bukhārī, Ed. Krehl, Vol. I, 18, II. 4-5.

2. Al-Qur'ān, Surah, ii : 43, 110, 177, 277 ; iv : v. 162 ; v : 58.
Wa yu'funa al-zakāta.

compulsory charity called the Zakāt. Neither the 'Ālim (the learned), nor the Imām (leader in prayer)¹ has any official privilege among members of the community which in a Christian religious organisation is claimed by the clergy owing to the very nature of the ecclesiastical system. The 'Ulamā is no *corporation* recognised by the law as the Christian priests are; nor is he *consecrated* to distinguish it from the *laity*. As against Christian clergy The 'Ulamā has no power of making a new law or modifying the old law.

But in the political organisation of the Brotherhood there is a leader at the top called Āmir'-u'l-Mū'mīnīn, the Khalīfah, the successor of the Prophet. But unlike the Catholic Pope, the Khalīfah is no religious officer though he has to attend to some religious functions. Āl Māwardī in his 'Āl Aḥkām-u's-Sultāniyah,² pointed out in details these functions of the Khalīfah the most important of which are the defence and maintenance of religion and the settlement of legal disputes, But, the difficulty lay in defining the meaning, scope and applicability of the Revelations, which according to the orthodox view, have ceased with Muḥammad Nizām-ul-Mulk aṭ-Ṭūsī in his "Ādab-i-Saltānat,"³ insists on the Muslim monarch ruling

1. Imām amongst the Shī'ā's has a special significance which the Sunnīs do not admit. For a fuller discussion on Imām, see Arnold, *The Caliphate*, pp. 14-16, 30, 34-5, 39, and Hughes, *Dictionary of Islam*, pp. 202-204.

2. Al-Māwardī, a *Aḥkām-u's-Sultāniyya*, Ed. Enger, pp. 5-7; Suyūfī, *Tārīkhul Khulāfa* (Ed. Cairo), p. 7.

3. *Ādab-i-Sultānat*, Ed. Scheffer (Text.) pp. 11-12, 16. For the religious duties of the Khalīfah, see, ante, pp. 124-125.

according to the 'Farmān of God,' because he is the 'guardian of the Shari'at'. To quote an eminent Muslim scholar, Ibn Hasan, "The protection of the Shari'at has two aspects—the propagation of the knowledge of the Shar' and its enforcement as law within the State. The one implies the maintenance of a class of scholars devoted to the study, teaching and propagation of that knowledge, and the other the appointment of one amongst the scholars, who is distinguished for learning and piety, as an adviser in all acts of the state. The scholars devoted to that knowledge are called the 'Ulamā and the one selected amongst them is called Shaikh-u'l-Islām."¹ According to the Sulūk-u'l-Mulūk, "If the king appoints such a Shaikh-u'l-Islām and he carries out his duties in a way calculated to enhance the prestige of Islām and the dignity of the Shar', and the protection of its knowledge, the king can be said to have fulfilled his duty of protection of the Shari'at'.²

1. Shaikh-u'l-Islām in Turkey was the highest religious office, equal in rank with the grand vizier and he was vizier's deputy. Though independent as an interpreter of the law, he was subject to dismissal by the ruler.

Shaikh-u'l-Islām has undergone various changes in meaning. It sometimes referred to the Sadr-u's-Šudūr. In Sūfī terminology in India Shaikh-u'l-Islām has technical meaning: "The Shaikh is a mystic who has been empowered by his Pīr, by a properly written and attested *Khilāfatnāmah*, to enrol disciples for the *Silsilah*. The title Shaikh-ul-Islam in India was sometimes given by the Emperor to one of the leading mystics of the age. The Shaikh-ul-Islam had no official powers, duties or responsibilities. He is an expert not on the Shariat which is the sphere of the Qazis, but on the Tariqat or the mystic path. The Shaikh-ul-Islam could never be the Qazi-ul-Quzat or the Sadr-u's-Sudur except by a violation of custom and principle." (Mohammad Habib). But there are instances of intermixture of titles or functions having taken place in India.

2. Sulūk-u'l-Mulūk, F. 21-23.

Such a body of men who devoted themselves exclusively to the study of theology and who were consulted by the monarch once or twice a week was called Şadr and the chief was called the Şadr-uş-Şudūr. His department was known as the Diwān-i-Sa'adat, whereas the department of the chief Qāḍī was called the Diwān-i-Quḍāt. Sometimes the office of the Şadr-uş-Şudūr and that of the Qāḍī-u'l-Quḍāt were assigned to one person, though the departments were kept separate with distinct powers of duties. Other officers of the state who were more or less connected with one or the other of the above two departments were :

- (1) Qāḍī,
- (2) Mufti,
- (3) Mir 'Aḍl,
- (4) Muhtasib,
- (5) Kotwāl.

Şadr-U'ş-Şudūr

The Şadr-uş-Şudūr was the mouthpiece of the 'Ulamā, and his voice in religious matters was considered weightier than that of the king under normal circumstances. In a religion of imperative commands, the decree of the highest dignitary was sometimes feared even by the king. Badā'ūnī says that Shaikh Mubārak Nagori, father of Ābu'l Faḍl, was implored by Ākbar to deliver him from 'the dependence on the Mullās'.¹ "He was the voice of the people in a sense and was the link between the king and the people" as has been said by Ibn Hasan². Every officer civil or military was

1. Bad., II. p. 130 Trans

2. Ibn Ḥasan, op.cit. PP. 256-257

expected to carry out his order, or he would invoke royal interference. Regarding interpretations of texts, of course, the Mufti-u'l-Āzam had a supreme voice, but the function of pronouncing the final verdict in terms of the decisions of Mufti-ul-Āzam rested on the Şadr-u's-Şudūr or Qāḍi-u'l-Quḍāt. The Şadr-u's-Şudūr had a general right of supervision in religious matters which came within the purview of the state. Any delinquency subversive of the morals of the followers of the faith could be brought to the notice of the king or his officers, and action might be recommended or even taken by him in extreme cases¹. A distinction was, of course, to be made between ḍalāl (a personal error) and idlāl (a public propagation of errors). Only the latter came within the jurisdiction of the State. Here was an opportunity for the Mullās for wrecking personal vengeance on rivals of opponents on the pretext of *Religion in danger* as may be seen in the attempt made by 'Abdu'n-Nabī on the life of Shaikh Mubārak and his family on the ground that they, "being Maḍhar were not only themselves damned but also brought others to damnation".²

The Şadr-u's-Şudūr had a great say in the matter of appointments in the judiciary, namely, of Qāḍīs, Muftis, Mīr 'Ādls and even Imāms.³ He

1. Badā'ūnī mentioned an incident when Abdu'n-Nabī took the initiative in executing an under-trial prisoner in a case which concerned reviling the Prophet. Akbar is said to have expressed in private that punishment for offences against the Holy Law were in the hands of the 'Ulamā, III. P. 128.

2. Bad, II (pp. Text) 198-99

3. There are instances when Qāḍi-u'l-Quḍāt made appointments in the judiciary.

guarded this privilege very zealously and Badā'ūni says that 'Abdu'n-Nabī was very much offended with him because he had not made use of his services to obtain his introduction into the service.¹ As an appointing authority the Şadr-u'ş-Şadūr had a large patronage to distribute. Further, he was in charge of the grants of lands to the learned, the orphans and the saints and he looked after the management of tombs and shrines. Thus, one of the main reasons of political influence of the Şadr was his power of distribution of wealth and lands and administration of private endowments. He advised the manner and proportion of distribution of royal charities on occasions of state festivals. He could disburse large amounts for charity to Makkah in the months of Ramāḍan and for the celebration of festivals. In fact, he was the chief almoner of the Emperor, ranked as the fourth officer of the state and he took his seat on the right side of the throne.

As there was a Şadr-u'ş-Şadūr for the whole empire, there were also Şadrs for the provinces who exercised, subject to control by the imperial Şadr, powers similar to those of the Şadr of the central government.

The position of the Şadr in the Mughal empire was an interesting study. In the Saltānat period, there were Şadrs, but their powers were not strictly defined (sometimes they were synonymous with Qāḍis), nor was the department of the Şadr in any way organised. In the Mughal period the work of the Şadr in the matter of distribution of Āymās, Madad-i-ma'āsh

was done by the Diwān.¹ Bairām appointed Shaikh Gudā'i, who was a Shī'ah, to this post; this appointment signified that the Shī'ah decisions would have henceforth preference in religious matter. The fall of Bairām was signal of the fall of Shaikh Gudā'i who was subsequently murdered. Khāwajah Muḥammad Ṣālih Harvī, who succeeded him, was powerless against the Diwāns. His successor 'Abdu'n-Nabī was a devout Sunni, son of 'Abdu'l Quddās of Gangoh, a great Shaikh of Hindustan. For about fifteen years, 'Abdu'n-Nabī was the supreme religious dignitary and taking advantage of the esteem and faith that Akbar had for him, he asserted his powers and relieved himself of the interference of the Diwān's department. He started his departmental office called Daftar-i-Sa'adat with a *Bitikchi* (Scribes). In ordinary circumstances no order or Farmān containing grants of lands could come into force without the seal of the Ṣadr.

Akbar entrusted him with the inquiry into the documents relating to 'Āymas, Sayurghāl, and Madad-i-ma'āsh, after the forgery of the Qāḍī's department had been discovered by Todar Mal. 'Abdu'n-Nabī practically controlled the state-grants of lands for religious purposes. Badā'ūnī says that Akbar's grants amounted to more than all the religious grants of all the Sultāns of Hindustan as has been mentioned before. Concentration of too much power in the Ṣadr's hands practically put him above the law and he began to take illicit gifts. But Akbar's faith in him was so great that he would untie the lace of the Ṣadr's shoes as a mark of merit

1. Bad. op. cit. II. p. 52, Text.

and no complain against him would be entertained by Ākbar. In the 'Ibādat Khānah, 'Ābdu'-n-Nabī along with 'Ābdu'llāh Sulṭānpūri represented the orthodox party.¹ In the course of the debate on the marriage question, the position of the Ṣadr and Makhdūm was very much compromised. The unauthorised murder of an undertrial Brāhman of Mathura by the Mullās because he had abused the Prophet, the discovery of various frauds in the disbursement of the pilgrim grants, the greed of the *Mashaiikh* (religious personages) and the undignified quarrels in the 'Ibādat Khānah led to the dismissal of 'Ābdu'-n-Nabī.² Since his death, the powers of the Ṣadr were restrained though the post continued; and Ṣadr Jahān's power to grant lands was reduced to the extent of 15 Bighas only. Blochmann opined that after 1581, no Imperial Ṣadr was appointed, and that the work of the department was divided amongst provincial Ṣadrs. Ibn Hasan³ says that the post continued throughout the reign of Ākbar, but not his powers; and Ākbar personally looked after the department. So Blochmann was not far from truth when he said that the department did not exist at the centre. After the fall of 'Ābdu'-n-Nabī, the department

1. Bad. II. Text. pp. 80—81.

2. For his life see Bad. III. pp. 80-83 Text. Abū'l Faḍl mentions (Akbar Nāmāh, Vol. III. p. 234 Text.) that on one occasion Akbar held personal enquiry into the grants of Sayurgāl lands and "invited prominent *Mushāikh* from different parts of the dominions The flattery of some of them and the greed of others for money disgusted him, and this further prejudiced him against their class." This was repeated during his Punjab tour in the 22nd year and with the same result.

3. Ibn Hasan, op. cit. p. 269.

of Şadr was so well managed under the personal supervision of Ākbar that during the whole period of twenty six years only one instance of bribery was found out in Gujarat; the Şadr concerned Hājī Ibrāhīm Sarhindī was tried, his guilt was proved and he was sent to prison.¹

The power of the Şadr-u'ş-Şudūr after reaching its climax went down in Ākbar's reign. As the orthodox interpretation of the law of the state gave the sanction to the powers of Şadr-u'ş-Şudūr, Ākbar's deviation from orthodoxy and the policy of toleration as preached by him, compromised the Şadr's religious dignity. After the inauguration of the institution of Chahal Tanān,² who vowed to do everything by reason, the Traditions were thrown into the background, and naturally the position of the interpreter of the Traditions was lost. It was suspected that the orthodox department of the state was responsible for the Bengal

1. Bad. II. Text. 277. Ibn Hasan—op. cit. p. 268. F. N. 3. In fact, the actual work of the Şadrs was divided as follows :—

- (a) Delhi, Malwa and Gujarat to Hākīm Abu'l Fath.
- (b) Agra, Kalpi, Kalanjar to Faiḍī.
- (c) Hajipur to the Saru (Sarju) to Hākīm Hūmām.
- (d) Behar to Hākīm Alī.
- (e) Bengal to Hākīm Ā'in-u'l-Mulk.
- (f) The Punjab to Qāḍī 'Alī Bakshī.

2. Blochmann, Ā'in-i-Akbarī III. p. 206 n. 3. "Forty" is rather a sacred number for Muslims. According to some Traditions, after the death of Muḥammad, the last of the long series of prophets, the Earth complained to God that henceforth, she could no longer be honoured by Prophets walking on her surface. God promised her that there should always be on earth Forty Holy Men, 'Abdals, for whose sake He would let the Earth remain. So "Forty" became a traditional holy number for Muslims.

rebellion of 1574-76, and as such Ākbar did not like to revive the powers of such a strong dignitary. Further, imperially-minded as Ākbar was by temperament, he thought that it was against the interest of the state to restore the lost weapon in the hands of the Ṣadr. He personally administered the department of charity by organising Khairātpūrā himself.¹ From the economic point of view too, it was against the financial interests of the state to surrender the Emperor's powers of distribution of lands to the religious dignitary. The judicial powers of the Ṣadr were allowed to lapse and Ākbar resumed the right of dispensation of supreme justice into his own hands. Thus, the highest religious dignitary was deprived of the power, prestige and dignity which the position formerly carried with it.

During the time of Jahāngīr, the Ṣadr was asked to present the deserving poor before the Emperor² and the gifts of the female department came through Hājī Koka, sister of Sa'ādadyār Koka and half-sister of Ākbar.³ The author of the Ma'āthir-u'l Umarā says that for the first five years of his reign, Jahāngīr was inclined to revive the power of his Ṣadr Jahān, Mīran, in the matter of distribution of charities, because he was a friend of Jahāngīr since childhood.⁴ But complaints were

1. Bad. op. cit. II. Text. p. 326. Akbar used to distribute charity every evening to Hindus and Muslims without prejudice. Abū'l Faḍl also says that "in the distribution of 'Aymanas, no consideration was made simply on the ground of particular creed." Ā'in—p. 198. Bloch. p. 268.

2. Tūzūk-i-Jahāngīrī. p. 229. (Sir Sayyid's Text).

3. Ibid. Tr. Vol. I. p. 46.

4. Ma'āthir-u'l Umarā, p. 350 (Text.) Vol. III. Tūzūk, trans. I. p. 22.

soon made against him. Moreover, the Şadr had become rather old; so in the 9th year of his reign, Jahāngīr himself distributed charity.¹ Though he was not against the institution of the Şadr, he did not like to revive the powers of the department which his father had curtailed to a minimum. He made personal grants to the 'Ulamā and to Mosques without reference to the Şadr. Nūr Jahān granted money for marriages of unmarried girls as a religious duty.

During the reign of Shāh Jahān, the spirit of orthodoxy began to have its play and the old ideals of Baghdad were sought to be revived. The traditional department of the Dīwān-i-Şadr was reorganised and some of their powers too came back along with the restoration of the office. Most of the work of the Şadr was connected with the grant of charity, and Shāh Jahān granted charities as usual like his predecessors, though much more methodically than his father, and there are records of his charity from year to year. Only one instance of a royal grant by Muşavi Khān, a Şadr, has been recorded out of a total grant of four thousand Bighas of land². His successor Sayyad Jalāl, a man from Bukhara made some small grants of lands for religious purposes. Shāh Jahān distributed charities on five official festival-days amounting to Rs. 72,000 a year amongst Muslims. He increased the number of scholars attached to the court and the office of the Şadr remained practically a sinecure with the

1. Tūzuk, p. 124. (Text.).

2. Lāhōrī, I. p. 200. (Text.).

shadow of its traditional dignity and certainly without its traditional powers.

During the time of Āurangzeb, the institution of the Şadr continued without break. Āurangzeb used to take the Şadr with him wherever he went, though it does not appear that he increased the powers of the Şadr. In the orthodox structure of his empire, the Şadr continued without a break though without his traditional powers¹.

Emoluments of the Şadr.

The Siyāsāt Nāmāh says that the Şadr must be paid handsomely so that he be above wants². He was offered presents on auspicious occasions like the 'Id, and had his Āymas and Madad-i-Ma'āsh. His post did not carry any Manşab or military rank. But Jahāngīr gave his Şadr-u's-Şudūr, Mirān Şadr Jahān, a Manşab of 2000 which was later increased to 4000, finally to 5000 with 1500 Sawārs³. Shāh Jahān's first Şadr-u's-Şudūr who held the post from the time of his father had a Manşab of 3000, raised later on to 4000 with 750 Şawars. Sayyad Jalāl, the next Şadr had a Manşab of 4000 with 700 Sawars.

1. List of Şadrs in the Mughal Period (This list has been collected from contemporary records of the period, 1558-1707 A. D.) :—

Şadrs at the court of Akbar :—(1) Shaikh Gadāi (2) Khawāja-Muhammad Salih Harvi. (3) Shaikh 'Abdu'n Nabī, (4) Mīr Faṭhu'llāh Shirāzī, (5) Sulṭān Khawājah, (6) Kāmālī Shirājī officiated in the place of Faṭhu'llāh, (7) Mīran Şadr Jahān.

Şadrs at the court of Jahāngīr :—(1) Mīran Şadr-i-Jahān, (2) Mullā Taqī, (3) Sayyad Muṣavī Khān.

Şadrs at the court of Shāh Jahān :—(1) Muṣavī Khān (2) Sayyad Jalāl Bukhbārī, (3) Sayyad Hedayātu'llāh.

Şadrs at the court of Aurangzeb :—(1) Sayyad Hedayātu'llāh, 1658-1660, (2) Shaikh Mirak, 1600-1661, (3) Qulich Khān, 1661-1667, (4) Razvī Khān, 1667-1681, (5) Qulich Khān (temporary), 1681, (6) Sharif Khān (1681-82, (7) Faḍīl Khān 1682-1688, (8) Qādī 'Abdu'llāh, 1698, (9) Muḥammad Amīn 1698-1707.

2. Siyāsāt Nāmāh, p. 31 (Text).

3. Beni Prasad, op. cit. p. 161 n. 8.

Qāḍī-u'l-Quḍāt.

The connotation of the word 'Law' in Islām is wider than that under the English system. It is because the Islāmic Law is primarily a law for protection against offences relating to religion, and its application to other functions of the state is subordinate to this primary function. The upholding of the Shar' is an incumbent duty of the state. Theoretically, the Muslim State exists for the preservation of the Law (Sharī'at) as is claimed by Āḍab-u's-Saltānat¹. However, in actual practice this conception of Law could not be carried to its logical conclusion for obvious reasons, though the 'Ulamā pleaded for it in every Muslim state. The interpretation of the Law was the work of the 'Ulamā or Muftī, and its application was that of the Qāḍī. If the Ṣadr-u's-Ṣudūr was the head of the 'Ulamā, the Qāḍī-u'l-Quḍāt was the head of the judiciary. Often the two dignities were combined in one person with separate departments as has been mentioned already.

The dignity of the Qāḍī-u'l-Quḍāt was first established by Harūn-a'r-Rashid. Ābū Yūsuf, a great disciple of Imām Ābū-Ḥanīfah, was appointed to the post of the Qāḍī-u'l-Quḍāt. In Spain, under 'Abdu'r Raḥmān I, there were four courts of the chief Qāḍis and they were called the Qāḍī-u'l-Jama'āt. That the chief Qāḍī was held in high esteem in the state was proved by the fact that he had his seat on platform, (Masnad), covered with silk; he had four scribes (Kātib) ; a royal mule was sent on every occasion to bring him to the

1. *Āḍab-u's Saltānat wa'l-Wazārat*. pp. 10-12. *Siyyāsāt Nāmāh*. Text. pp. 31, 54.

court. He was often presented with garland (*Tawq*) and a golden robe (Zarrin K̄hil'at). During his office hours, which were generally on Saturdays and Wednesdays, the *Vakil* in charge of the Bait-u'l-Māl (public treasury) also attended his court. On Mondays and Thursdays he sat in the *mahal* for meeting the K̄halifah while his Na'ib (deputy) decided disputes. He used to inspect the state-mint and personally closed the mint always putting his own seal upon it. Besides dispensation of justice, he had to do some routine work of the department¹.

In Mughal India, the function of the Qāḍi-u'l-Quḍāt or the chief Qāḍi was the most important of all judicial functions. His knowledge of the Law was expected to be above comment. If necessary, he was tested and examined by a body of the learned men of the state². He was appointed not always for life but for a specified period on condition of 'good behaviour'. Some jurists maintain that the appointment should be made for one year only, so that he may not neglect his studies. By virtue of his office, he possessed the right to appoint subordinate Qāḍis for the different parts of the dominion. The procedure was that the Ṣadr-u'ṣ-Ṣudūr made recommendations, the Qāḍi-u'l-Quḍāt made appointments and the king formally approved or did not interfere³.

1. For details of Qāḍi's court, see Maqrizī, Vol. II. 246.

2. Nizāmu'l-Mulk in his *Siyāsat Nāmah* has given some valuable information of this dignity. p. 54.

3. Sarkar says that local Qāḍis were appointed by the chief Qāḍi. *The Mughal Administration*, pp. 17-19. Ed. 1920.

Dr. Saran has challenged the statement of Sir Jadunath in connection with the judiciary of Mughal India. See *Provincial Government of the Mughal* pp. 341-345 and Sarkar, *The Mughal Administration* (2nd. Ed) p. 107.

On principle the Emperor had no right to interfere in the judicial jurisdictions of Qāḍī. The jurists held that the ruler could not prevent the Qāḍī from taking evidence, nor could he tutor a judgment. But in fact, the Qāḍī being an officer of the state, was sometimes, though not always, a carrier of superior will as was seen in the judgment against Sarmad and Murād¹ during the reign of Aurangzeb.

The Qāḍī was officially in charge of all state documents (Kitāb-i-Hukm). Copies were sent to superior courts (Huzoor) and preserved in the Tan-Daftār (Official Record). The Qāḍī was the trustee of all *Waqfs* (Endowments) in his area².

In the reign of Akbar, the position of the Qāḍī-u'l-Qudat was held by Maulānā 'Abdu'llāh Sulṭānpūri up to the year 1582 A. D. He was a highly learned man and was the author of *ʿIṣmat-i-Anbiya* and a commentary on the *Shmā'il-u'n-Nabi* (Virtues of the Prophet). Humāyūn, who had great respect for him, gave him the title of *Makhdūm-u'l-Mulk* and *Shaiḫ-u'l-Islām*. He was a bigoted Sunni and a stiff enemy to all innovations in religion in that age of the Mahdi movement. Badā'ūnī narrated a story how narrowly he escaped persecution in his first meeting with him for his opinion on the third volume of the *Rawzātu'l Aḥbāb*. As the chief Qāḍī he often took part in the debates of the *Ibādāt Khānah*³. 'Abdu'llāh

1. Sarkar ; *Aurangzeb*, III. pp. 107-8.

2. For details on the Qāḍī's power, see F. A. III, 418-20 ; *Shar' Faqayah*, Vol. III, Chapter on Al Qāḍī.

3. Bad. Vol. III. pp. 71-72 Text.

Sultānpūrī and Ābdu'n-Nabī together represented the orthodox spirit of the age. From the outset they looked upon Ābū'l Faḍl as a dangerous man. 'Ābdu'llāh Sultānpūrī was unscrupulous and greedy. According to Badā'ūnī, he embezzled the pilgrim grants and would not pay his usual dues (Zakāt) to the state treasury. He gave a Fatwā against pilgrimage to suit his own purpose¹. He was badly exposed in the course of the debate on the marriage question by Badā'ūnī. After the discovery of his dishonesty, he was turned out of office and was allowed to go to Makḥkah. On his way back he died (was killed ?) in Gujarat in 1582 A. D.

After his death, the power of the Qādi-u'l-Quḍāt declined as much as the powers of Ṣadr-u's-Ṣudūr underwent a great change after 'Ābdu'n-Nabī's murder. Ākbar did not revive the powers of the Qādi-u'l-Quḍāt though the post continued throughout the Mughal period. Even Āurangzeb did not find it convenient to allow the Qādi-u'l-Quḍāt a decisive say in matters of state though he continued the post throughout his reign². He conveniently used the theologians of the state to suit his political ends as was done during the trial of Dārā in the early years of his reign. Similarly, when Prince Ākbar rebelled, he got a Fatwā against his father that Āurangzeb had ceased

1. Bad. op. cit. II. p. 251 (text).

2. Chief Qādis of Aurangzeb's time :—

(1) 'Abdul Wa'hhāb Borah—1659-1675. A.D.

(2) Shaikh-u'l-Islām—1676-1683.

(3) Sayyad Abū Sa'id—1683-1685.

(4) Khawājah 'Abdu'llāh—1685-1698.

(5) Muḥammad Akram—1698-1706.

(6) Mullā Haidar—1706-1707.

to be a Muslim.¹ Indeed, the Qādis often became pliable instruments in times of political need.

Qādi

Qādi is a very familiar term in India. In the circle of the Mughal administration, he was a *persona grata*. He was a judge, a magistrate, a theologian, a superintendent of jail, an inspector of *Waqfs*, a guardian of minors, lunatics and idiots, a registrar of marriages and a distributor of lands. He was to lead prayers on Fridays and on the 'Id days; he was to attend funerals and perform religious ceremonies connected with birth and death in the royal family when present. He was in charge of the Bait-u'l-Māl in his jurisdiction and also of properties escheated. Two Mahratti Sanads of the middle of the 17th described "the duties of Qazis in the Deccan as trying law suits, putting down oppression and quarrels, arranging for the marriage of orphan girls, dividing the heritage of dead men according to the Canon Law, casting out the papers of *Ghah bandi* and canon decisions". Some of these Qādis were also Muhtasibs and had to discharge the duties of the latter in addition. The author of the *Siyāsat Nāmah* says that he was the repository of deposit of treasures by incoming foreigners and outgoing pilgrims³.

A Qādi's qualifications were that he must be a Muslim, adult and freeman. He must not apply for the post. The Ḥadīth mentioned, "Whoever

1. Sarkar, *Aurangzeb* III. 406,

2. Mawjee and Parashis, *Sanads and Letters*, pp. 79 and 81.

3. Nizāmu'l Mulk at-Ṭūsī, op. cit. (Text) P. 54.

seeks for the appointment of the Qāḍī shall be left alone, but on him who accepts the office on compulsion, an angel shall descend."

According to Āl-Māwardī, a Qāḍī might be appointed either by the Wazir of the sovereign, or by the provincial officers. The appointment might be verbal or written but it must be announced officially by a Sanad¹. The authority delegated might be partial or complete. The term might be for life, or for a limited period though Imām Ābū Ḥanīfah advocated appointment for one year each time. A Qāḍī might be dismissed by the king. His appointment is not *ipso facto* void by the death of appointing authority. A Qāḍī in deciding a case must "follow and could not act contrary to the law laid down by a clear text of the Qur'ān,² or contrary to a universally accepted, or well known tradition, or consensus of opinion (Ijmā')". If there be a difference in the juristic deductions as between Ḥanāfi and Shāfi'i, he might decide according to any of the four schools of law³. And if there was no authority to direct in any particular case, the Qāḍī was permitted to pass judgment according to his own conscience and discretion, so says the Fatawā-i-Ālamgiri⁴.

The Qāḍī must perform his duties in some public place, a Mosque being recommended; or if in his own house, the public must be allowed

1. *Mirāt-i-Aḥmadi*, 425 F. The form of appointment of a Qāḍī was :—Qāḍī Sakhtam tu rā bar har Kase wa dar har Waqi'at. (I appoint you a Qāḍī over all men and in all events).

2. A. Rahim, op. cit. pp. 179—181.

3. *Shār' Waqayah*—Vol. IV, pp. 396-98.

4. F. A.—Vol. III. p. 383.

to witness the trial. The Qāḍī should not be diseased⁵. He was not to accept any presents nor should he attend a dinner except when given by a near relative.

The Qāḍī was to receive his salary in cash¹ but no Maṣab or military rank. He could earn money by writing a Fatwā (Pronouncement, Ruling, Injunction). He had also a Madad-i-Ma'āsh on condition of service. He used to get *Bakhshish* and In'ām (presents) on 'Id days, and had a share in the charges of marriage (*Nikahanah*) and dowers (*Mohranah*).

He could inflict any punishment formally, but Akbar limited the powers of a Qāḍī under him; no sentence of death or mutilation could be officially passed without his consent². Jahāngir was very particular about punishment and the Qāḍīs were not allowed to exceed the prescribed limit.

Previously the Qāḍīs used to distribute lands and if some one could bribe a Qāḍī he could retain lands much more than the area contained

5. In the course of a quarrel between 'Abdu'n Nabī and 'Abdu'llāh Sulṭānpūrī, the latter gave a Fatwā that a man afflicted with piles could not hold a sacred post. Bad. Lowe, II. p. 205.

1. In the later part of the Mughal Empire, Qāḍīs instead of receiving cash salary, compensated the loss by taking one-fourth of the debts realised through court and of the decreed amount. They got shares of fines realised from clients. (Siyaru'l Muta'akhhkarīn. p. 830.) A Qāḍī could appoint his substitutes in the later days of the Mughal Empire. *Secret Committee 7th Report*, pp. 321-32; *Journal of Behar and Orissa Research Society*, Part III. Vol. IV. 1924, pp. 275-278.

2. Bad. op. cit. Vol. III. pp. 80-83. Text. If there was no heir of a dead man, the Qāḍī could demand *Qashaq*, See *Bengal Past and Present* Vol. LXVIII. Serial No 131, 1949, Quoted from *Sadar Nizamat Adalat Records*, Calcutta High Court. April 21, 1791.

in the Farmān of the grant. But Ākbar found out the dishonesty of the Qāḍis in the course of the survey of lands by Todar Mal. He spotted out the dishonest Qāḍis and turned them out. Many of them went to Behar and Bengal where they organised revolts. After the revolts had been suppressed, Ākbar turned them out of the Empire and exchanged them for colts at Qandahar. Since then the Qāḍis lost much of their position in the Empire¹. But in spite of his best attempts, the the corruptions of the Qāḍī department could not be wholly stopped. Āurangzeb's first Qāḍī, 'Abdū'l Wahhāb Borah amassed 33 lacs of rupees besides jewellery and other valuables. His sources of income may be easily conjectured. In the end, Āurangzeb became so disgusted with the Qāḍī department that he desired his *Court of Justice* to be styled as the *Court of Oppression* (18th Feb. 1702).²

There might be more than one Qāḍī in one city but their powers and jurisdictions were defined. As there was the Qāḍī-u'l-Quḍāt for the whole empire, there were also the provincial Qāḍī, the Parganah Qāḍī and the Qaṣbah Qāḍī. A Qāḍī might appoint his deputy as we find in later Mughal days³, and he could temporarily lease out his post and make a profit⁴. There was the Qāḍī-u'l-'Āskārī for military purposes. In the case of a culprit claim-

1. Bad. Trans. III. 128-31, *Mir'āt-i-Aḥmadī*, I. 338.

2. *Ma'āthir-i-'Ālm-gīrī*, p. 460. *Ma'āthir-u'l-Umarā*. I. pp. 75-76 (Trans).

3. Transactions, R. 1767-68, No. 204.

4. *Siyāru'l Muta'ākhkharīn*, pp. 828-830.

ing non-military jurisdiction, the decision of the Qāḍī on question of jurisdiction was final.¹

A woman could be a judge, but she could not inflict physical punishment (ḥadd) or retaliation (qaṣaṣ).²

Sir Jadu Nath says that there were no gradations of courts but the Mir'āt-i-ʿĀḥmādī mentioned subordinate courts in Qaṣbas and in Parganas.³

There was always a sense of rivalry between the Governor and the Qāḍī, because it was very difficult to define where the power of the one ended and that of the other began. If Bernier is to be believed, in the Mughal Empire the Qāḍīs were not sufficiently supported by the executive.⁴ Of course, the Qāḍī could always appeal to the Emperor in the name of the sacred Law.⁵

Aurangzeb ordered that the Qāḍīs should attend office for five days a week; on Wednesday they should meet the Šubadār to maintain the link between the executive and the judiciary. Friday was a holiday. The Court used to sit 2 *gharis* (3 hours) after sunrise and break up at the time of the *Zuhr* prayer about 1 O' clock.

The Fatāwā-i-ʿĀlmgīrī gives a description of the procedure of a Qāḍī's court. In the time of

1. Ibn Hasan, op. cit. pp. 311-12.

2. Hamilton, Hedayah, p. 613, Faruki, op. cit. p. 425.

3. *Muḥtasib-i-balad o Qaṣbah* has been specifically mentioned in the Mir'āt. India Office Ms. (Transcript) Add. No. 6580. F. 425.

4. Bernier, Travels, p. 226, Khāfi Khān II. pp. 257-8 mentioned of a quarrel between the Qāḍī of Lahore and the Governor of the Punjab regarding superiority of position. Aurangzeb decided by dismissing the Governor and by executing the Qāḍī. *Qāḍī ba khawāhīrzadah-i-khud o chand nafar-i-dīgar kustah Shūd*.

5. Mughal Administration, Sarkar, p. 9. Faruki, op. cit. 433.

ʿAurangzeb, the Qāḍī's court used to be held in a special hall called Daru'l-Qāḍā (Court of Justice). In the side rooms, the court officials sat and the records were maintained. The Qāḍī sat on a raised platform on a rich Qālin (carpet). The Mufti took his seat on the right side and the 'Ulamā on the left. The court writers were called Kātib. Darogā-i-'Ādālat (Superintendent of Records) attended the court and supplied records. Court peons and orderlies maintained peace¹.

V. A. Smith says that no records were kept and that justice was rough, ready and summary. This is too categorical a statement and is not warranted by facts. There was a department of records called Dīwān-i-Qāḍā and the officer in charge was Darogā-i-'Ādālat.²

Mir 'Ādl

The Mir 'Ādl (the lord-justice), as the name suggests, was a very high official in the judiciary in the Saltānat period. In India, his post was created by Sikandar Lodi in place of Qāḍī-u'l-Qaḍāt, though in the judicial department of other Muslim countries the dignity did not exist. According to the Tārīkhī-Dā'ūdī, Sher Shāh had his Mir 'Ādls and Qāḍīs. His Mir 'Ādl was the chief court of appeal. But during the Mughal period he was a subordinate member of the judiciary. The Mir 'Ādl, or simple 'Ādil, in the Mughal period was a mere civil judge and the Mir 'Ādl used to deal with certain classes of litigation which did not fall within

1. F. A. III, 383-384.

2. *Mīr-u'l-Masā'il*. Trans. pp. 52-55, Lāhorī. op. cit. 1. pp. 159-160.

the cognizance of Qādis. In fact, they were the lay judges and their courts were distinguished from the Shar' courts of the Qādi. There were Mir 'Adls almost in every city and also in some places where there was no Qādi. Abu'l Faḍl says that Mir 'Adls and Qādis were subordinate to the Ṣadr.¹ In big cities, Mir 'Adls and Qādis functioned side by side. Mir 'Adls usually followed kings when they were on tour. The term Mir 'Adl was often very loosely used in India. In the Ā'in-i-Akbari, the term Mir 'Adl has been used in the sense of a Qādi in describing the establishment of a Ṣubah in the 24th year of the reign of Akbar.

Mufti.

The Mufti was one who expounded the Law. He was not a regular official. He was expected to be a good student of Law and well-versed in the Qur'ān. The Mufti was not recognised by the Khalīfah in Arabia though there was the Dār-u'l-Iftā (Board of Legal Advice) established by 'Umar for giving 'correct opinions'. A number of expert jurists was appointed to this board to give free legal advice to those who sought for it. 'Umar's injunction was that none but a member of the Dār-u'l-Iftā could issue any Fatwā. The obvious object of this salutary institution was to check the issue of unauthorised opinions by theologians in judicial affairs.² The origin of the Mufti in India may be traced to this institution of Khalīfah 'Umar. In India, the Mufti was a necessity because neither

1. Ā'in-i-Akbarī, Blochmann, p 278, ed. 1927.

2. Shibli, Al-Faruq, II. pp. 56-57.

the litigants, nor were all the judges experts in Arabic which was the language of the Law and law books; so, few courts could do without the services of Muftis for interpreting the Law.

Thevenot in his *Travels* mentioned the existence of Muftis who "inspected over all that concerned the Muhammadan religion." Mufti was a very common judicial term in India. The Committee of Secrecy appointed by the House of Commons in 1773 to report on the administration of justice in India, mentioned the association of Muftis with almost every court.¹ The Şadr-uş-Şudūr, who was the head of the 'Ulamā, used to recommend good students of law for the position of a Mufti. The Muftis had no court of their own but generally they were attached to courts of justice for giving legal opinions. Their function was consultative. There is an instance of a chief Mufti being appointed in Akbar's time² for the whole Empire; he was Şadr-i-Jahān of Dihani. It is doubtful if the position of the Mufti was superior to that of the Qādi in spite of his having superior theological knowledge. Taking all the facts together, we may conclude that the Mufti was subordinate to the Qādi. But in deciding the knotty problems of the Law, the Mufti'l-Āzam was the highest authority.

Muhtasib.

Etymologically a Muhtasib is a keeper of accounts; he was an officer who used to keep

1. Thevenot, III. op. cit. pp. 19-20, *Committee of Secrecy*, 7th Report, pp. 321-322.

2. Bad. op. cit. III. Text. 141. *wa basa'-i-Shaikh chandin Sāl mufti-i-Mamalik-i-mahrusah bud.*

accounts of the conduct of the people. But he had no court of his own as such. The specific duty of the Muhtasib was to see that the people kept to the right path and observed the Shara'. The Shari'at Law is divided into two parts *Mu'alimat* or the legal relations between persons which come within the scope of the Qāḍī, and the 'Ibādat or modes of devotion for which a Muslim is personally responsible to God and which are not capable of external enforcement. But occasional attempts were made by different over-zealous Muslim rulers to enforce 'Ibādat through external pressure. But that did not alter the general principle. The Muhtasib was an officer concerned with *Mu'alimat* and was concerned with offences against public morals. In modern language, he may be termed "the Censor of Morals" and he had a counterpart in Asoka's Dharma Mahāmātra (धम्म महामात्र). The dignity was created by Khalifah Maḥdī. Originally, the early Muslims were very particular about observing the rites, practices and formalities of the Faith. In the early days of the Khilāfat, "neglect of religious duty was always severely punished."¹ The position of a Muhtasib was thus a peculiar mixture of judicial and magisterial functions. He must report the instances of neglect of religious duty and some times he himself punished people for open violation of the Law, such as cutting down of five prayers and non-observance of Ramāḍan. He was to enforce the Commands of

1. For Muhtasib's duty, in Akbar's time, see *Dabistān*, III, Trans, pp. 121-136.

the Prophet and take steps against the irreligious practices such as drinking and usury. But in Mughal India, in actual practice, he could not help much in that direction because drinking was almost a part of life of the king and of the nobility. We may quote Sa'di in evaluating the Muhtasib's work—"What does a Muhtasib do in his own house?" So, his duty ultimately was confined to the supervision of markets, streets, examination of weights and measures, control of adulteration of food, removal of obstruction of roads and similar municipal and public duties.

Şābadār (Governor)

The governor, though an avowed executive officer, had religious duties to perform as king's representative. In fact, he might be invoked for assistance by any member of theological organisation when the religion was supposed to be at stake. Thus, the governor had a general jurisdiction in matters which concerned religion for which the Muslim state was supposed to exist.

The *Mir'āt-i Aḥmadi* says that the governor had a general right of supervision in matters of all litigations. If any matter fell under the *Shara'*, he used to send it to the *Qādi* for trial, revenue affairs were sent to the *Dīwān* and political delinquencies were kept in his own file. The *Kotwāl* worked under the governor's supervision. The *Shiqdār* also exercised some preliminary jurisdiction¹ within his own area.

1. *Mir'āt-i Aḥmadi*, 104 F. contains a *Farmān* of Aurangzeb containing 32 sections detailing duty of *Dīwān*. *Bailey's Digest*, p. 174. Thevenot, op. cit. III, pp. 19-20. *Pesh dīwān 'alā o muqaddamāt-i Shara' pesh aqaḍa al-quḍāt*.

The governor as well as the Qāḍī used to inspect jails once a month and take care of the prisoners. He could release the innocent and direct the Qāḍī to try other accused.

The governor on behalf of the king used to announce king's pardon on festive occasions, royal tours, victories and birth-days of children of the imperial house.

Monserate says, "Ordinary criminals are kept under guards in irons, but not in prison. Princes sentenced to imprisonment are sent to the jail at Goaleris (Gowaliwar) where they rot away in chains and filth. Noble offenders are handed over to other nobles for punishment, but the base-born either to the captain of the despatch-runners, or to the chief executioners".¹

Besides being in charge of the army and political administration, the governor was to attend religious ceremonies and processions, like the 'Id, and Ramaḍān, to grant or deny permission to Hindus for burning *Satis*, or to build temples by the Hindus, and churches and cemeteries by the Christians. He had also to carry out such instructions which are intended to maintain the religious structure of the state, and any other which the emperor was pleased to direct.

The Kotwāl (Keeper of a Fort) : कुटपाल

The word does not occur in Persian or Arabic. The office of the Kotwāl was of Hindu origin. Though apparently an executive officer directly under the Faujdār, the Kotwāl discharged some religious

1. Monserate, Commentaries, p. 211.

functions in his area. The Dabistān-i-Madhāhib has given a graphic description of the duties of the Kotwāl connected with religion¹. He had a special duty attached to wine-drinking ; "he was to reprehend with the concurrence of the judge, the buyer and seller, the abettor and perpetrator thereof" (wine) ; but "if any body of high character and prudence, for the sake of relaxation of mind, makes use of wine as a medicine, no opposition is to be made to his usage"².

The Kotwāl had a special duty in connection with the ceremonies of the empire. He had to see to the arrangement of the celebration of some specified festivals :—

- | | | |
|---------|---|------------|
| such as | (1) Nawrūz | (March) |
| | (2) Ārdibihisht | (April) |
| | (3) Khordād | (May) |
| | (4) Āban | (October) |
| | (5) Āzar | (November) |
| | (6) Three festivals in the month of
Dai (Dec., 8th, 15th, 23rd.) | |
| | (7) One festival in the month of
Bahman | (January) |
| | (8) Istendarmand | (February) |

Every particular festival was celebrated with defined ceremonials. The Nawrūz and Sharīf celebrated by illuminating torches. The Bhārat was a

1. *Dabistān*. (Shea and Troyer) I. pp. 132-36, Akbar's Farmān of year 1595 A.D.

2. Ibid, p. 134. Palsaert, op. cit. pp. 57, 79. Badā'ūnī op. cit. II. pp. 311-12. Yaḥiya bin Aḥmad, *Tārīkh-i-Mubārak Shāhī*, p. 77. *Storia do Mogor* ii. pp. 5-6.

festival 'consecrated to the memory of the forefathers' and was celebrated in the Arabian month of Sh'abān when al-Mahdi was born. In all festivals, the kettledrum on elephant's back was beaten.

The Kotwāl was to see that no woman rode on horse-back and he was to maintain separate bathing platforms for women. His other duties were to prevent forced *Sati*, infanticide, circumcision before the twelfth year etc.

He was to assist the Muhtasib in enjoining religious practices on the Faithful and he could punish miscreants according to the Shar'at. In the south too, the Kotwāl performed the same duties as mentioned in the *Basātin-i-Salāṭin*.¹ He was to see to the distribution of food from the alms houses attached to the mosques, though it was truly a function of the Mutawālī of the Mosque.

1. Proceedings of the Indian Historical Records Commission, Baroda Session, P. 127. The *Mir'āt-i-Aḥmadī* has discussed the duties of Kotwāl with special reference to Ahmedabad. Baroda Text. pp. 188-89.

CHAPTER IV

PERSONAL RELIGION OF THE MUGHAL EMPERORS

Bābur.

Bābur was a true product of his central Asian ancestors with all their virtues and vices,—great and small like his fore-fathers. In him, the intrepid spirit of a Mongol was softened by the mystic element of a Turk. In fact, the orthodox in him had as much play as the liberal. He wrote a religious treatise named *Dar-u'l-Fiqh-i-Mubaiyān* and versified Khawāja Aḥrar's *Risāla-i-Walidiyah* and considered it an act of merit.¹ But, for all that he had no love for the Mullas. He felt it his duty to offer prayers and to visit shrines and tombs of saints. He observed the fast of *Ramādān*, distributed charity and offered the customary prayers, the *Namāz*. But at the same time he drank wine though he knew it to be against the laws of Islam.² Before fighting battles he would consult his astrologers and after the birth of a child he had a horoscope prepared. Magic and necromancy had always a charm for him. He had a great love for nature, and every evening after the turmoils of war were over, he used to have convivial meetings in the midst of beautiful glades and theatres in moon-lit nights "with flasks-of

1. *Bābur Nāmāh*, Beveridge, pp. 437-38.

2. That Bābur considered drinking wine as a sin was proved by the way he swore to give it up on the eve of the battle of Khanwaha.

wine and books of verses." Wine was distributed, poems were recited which were as sparkling as the liquid portion of the cup. He had his omens, witches, and witchcrafts. At heart, he was a Sunni but he felt no scruple in reciting the *Khuṭbah* in the name of Murtazā 'Alī from the *mimbar* of the Masjid of Samarqand.¹ He did not feel any scruple in following the formalities of Shī'ah faith and again in reverting to Sunnism when he was free from the clutches of the Shāh of Persia.² He did not feel it to be his religious duty to convert the Dar-u'l-Ḥarb of Hindustan into Dar-u'l-Islām, though he appreciated his governor Zain Khān when he destroyed the temple of Chanderi and he approved of the destruction of the temple at Ajodhya by Baqī. He had to urge on his Muslim soldiers a *Jehād*, fight for religion, on the eve of the battle of Khanwah against Rānā Sanga of Mewar.³ During his short rule of four years in Hindustan, he was mainly occupied in plans, sieges and wars, and he had no time to make any marked departure in matters of religion except that he excluded the Muslims from stamp duty. As a matter of policy he continued the structure of the religion as it existed in the country including the levy of *Jeziah* on the non-Muslims.

Humāyūn was born of a Sunni father, Bābur, and a Shī'ah mother, Mahām Begam in 1508 A.D., the

1. Proceedings of the Congress of Indian History, Poona, *Religion of Humayun*, 1935 pp. 49-61.

2. J. R. A. S. 1924, pp. 594-595.

3. U. P. Historical Journal. S. K. Banerjee. *Bābur and the Hindus* 1936.

year in which Bābur assumed the title of Pādshāh. Humāyūn's early education was carefully planned by Bābur when the Shī'ah influence was on him supreme. At Kabul (1514-1525), Bābur did not divulge the secret of his religious beliefs and made himself appear a Shī'ah to all intents and purposes, and often he observed Shī'ah practices in public. After the conquest of India, the name of Bābur's capital was changed from Masnad-i-Imārat to Takht-i-Khilāfat, and Humāyūn, too, named his capital Din-Pānah (the Asylum of the Faith) and he read the Khuṭbah in his own name. Personally Humāyūn was a Sunnī and mystic. He believed that "the phenomenal world was only a shadow of the reality that the human eye could not ordinarily see"¹. According to Khwānd Mir, Humāyūn believed that just as the Sun was the centre of the material world, so the King, the representative of that luminary, was the centre of the earthly kingdom. The same author is responsible for the information that Humāyūn "grouped the servants of the state into twelve divisions corresponding to the signs in the zodiac, and he constructed a hall to symbolise the lattices through which the light of the empire shone."² The mystic in Humāyūn urged him to regard himself as the fountain of all light and in pursuance of this, he used to cast a veil over his face, and when he removed it, the people used to say, "Light has shone

1. A. N. I. Beveridge Text. I. p. 361. Khwānd Mir, *Humāyūn Nāmah*. Tr. (J. R. A. S. Bengal). p. 37.

2. A. N. I. p. 361 Text. Khwānd Mir, op. cit. Text. 36-7.

Wā az jumla-i mukhtara'āt shar'ah ān haḍrat khabargahī bud ke ba 'adad-i burj siphar mushtamīl bar duāzdah qismat būdah har burj mushtamīl bar panjarhā ke anwār-i-kawākib-i-dowlāt az nuqbahāi ān tāban būd. Khwānd Mir, op. cit. pp. 36-37.

forth'. Humāyūn was taunted while he was in Persia for his pretensions and associations with Light, that is, with the Divinity¹. The early Turks believed that their Khāqān was an emanation from God². Humāyūn's official historian Khwand Mīr once described him as "Jāma'i Salṭānat-i-Ḥaqīqī wa Majāzī"—a personification of the spiritual and temporal luminary, and on another occasion as "Ḥaḍrat-i-Pādshāh Dhil-i-llāhī"—His Majesty as the shadow of God. He was supposed to have received his inspiration from God (Ilhāmāt-i-Rabbānī wa Waridatī Subhānī). This association with God and representation of a great luminary was nothing unusual in the family of the Central Asian Turks³.

Humāyūn, though he professed Sunnism, was influenced by Persian culture. He was deeply versed in Persian literature and he loved disputations with Shī'ah divines, and he was hated by his brothers for his alleged sympathy with the Shī'ah creed during his residence in Persia⁴. He felt no hesitation in

1. Badā'ūnī narrated the story thus :—At the time when he (Humāyūn) was walking alone in that sacred enclosure, one of the pilgrims said in a low voice to his fellow, "This is not Humāyūn Pādshāh". The other replied, 'Yes, he is'. Then coming close, he said to the ear of Humāyūn, 'Lo! You are again laying claim to omnipotence'. This was a reference to the circumstance that Humāyūn often in Bengal used to cast a veil over his crown, and when he removed it, the people used to say, 'Light has shone forth.'..... Bad. Vol. I. Rankin—Tr p. 573.

2. Encyclopaedia of Islam, article on the Turks.

3. Kayūk Khān also held similar views. Howorth, History of the Mongols, p. 163. For details. see Tripathi. op. cit. 116-17.

4. Ferishtah, op. cit. Bombay Ed. I. p. 446.

Here is a poem of Humāyūn in praise of the Imāms :—

Ay Shāh jahān ke āsmān pāyah'-i tust
Aḥsān wa karam hamishah sarmā'yah'-i tust
Shāhān-i-jāhān Sā'ah-i-huma mi talband
Be-nigar ke humā dardalabi sā'yah'-i tust.

marrying Shī'ah Ḥamīdah Bānū, daughter of a Ṣūfī saint, named Mirzā Ākbar Jamī, or in appointing Shī'ah Bairām and Shī'ah 'Abdu'l Ma'ālī as his chief officers of the State¹. Urged by political necessity, he accepted the Shī'-i-Tāj in Persia, cut off his hair in accordance with the Persian custom and put on a Khil'āt presented by Shāh Ṭahmāsp; and he professed Shī'ism formally by signing a paper presented by Qāḍī Jahān Kāzvīnī, Diwān of Shāh Ṭahmāsp². While at Kabul after his flight from Hindustan, the Persian Shāh regarded Humāyūn as his subordinate and it is significant that the title of Sulṭān was bestowed by Shāh Ṭahmāsp on a member of the retinue of Humāyūn, named Ḥajī Muḥammad Koka; but how in that age was it possible to confer a title on Humāyūn's servant except as a mark of his superiority over Humāyūn?³ Humāyūn could not afford to protest against the Persian claims of superiority at that time, and the conquest of Qandahar, Kabul and Badakhshan was achieved by him with the backing of Persia. Personally he followed the usual formalities of religion such as prayers and fast. The question of paying the Zakāt personally could not influence the state-policy of a Muslim king who had no private property and who looked upon the state treasury as a public property of which 'he was merely the custodian,' as was held by the Khalifah 'Umar.⁴ The payment

1. Erskine. *op. cit.* II. p. 290.

2. Jauhar, *op. cit.* the Punjab University Ms, F 55a, 56b.

3. A. N. Bev. I. p 440.

4. Shiblī, *Al Faruq*, II. pp. 17, 238.

of Jeziah was continued in the usual way and the ceremonials of the state were observed with the elasticity of a Central Asian Timūrid. But there was no question of forced conversion or destruction of Hindu temples; there was no marked departure from the structure built up by the Turko-Afghan predecessors so far as religion was concerned. The Mahdī movement had but little direct influence on Humāyūn. The Central Asian mystic elements of his ancestors and the liberal tendencies of his father had sufficiently moulded his mind. It is doubtful if Humāyūn had any well-defined ideas about the implications of religion as an influencing factor in a state in its political aspects. Further, even if he had any, he had no time to enforce them as his rule was intermittent.¹

The personal religion of Akbar as well as the events of his life present a very complex phenomenon. In his vein ran the mixed blood of Chengiz and Timūr, the two great Central Asian heroes. He was by birth a Sunni born in the house of a Hindu Rājā in Sind. He passed his early life in the unfriendly environment of his uncle Kāmran in Afghanistan. After he was restored to his father, he was placed under Persian teachers; Persian culture was instilled into him by his tutors; he committed to memory the

1. For Humāyūn's rituals, Khwānd Mīr is the most reliable contemporary authority. Details may be found in the translation of Baini Prasad, pp. 23, 24, 26, 27, 35, 61 (Note 1-3), 65-74.

That Humāyūn did not persecute the Hindus was proved by his relations with Rānā of Chittor and Rānā Bīrsal of Amarkot. Ferishtah, Vol. II. p. 95 Tr. Beveridge.

Diwān-i-Ḥafiz, Gulista-i-Sa'di which could not fail to have their natural influence on the young and impressionable mind of Akbar. The first few years of his kingship under the guardianship of Bairām Khān were influenced by his Shī'ah teacher Shaikh 'Abdu'l Latīf and Ṣadr-u's-Ṣudūr Shaikh Gadār'. Soon after, the Shī'ah tendencies were effaced by the influence of his staunch Sunnī, Ṣadr-u's-Ṣudūr 'Abdu'n Nabī. The political changes of his early life had made his mind extremely impressionable. He went so far as to sweep the dust of the Khānqah of Shaikh Salim Chishtī as a mark of respect.¹ If Mullā 'Abdu'l Qādir Badā'ūnī is to be believed, Akbar used to sit on a piece of stone on the bank of the *Anupatalao* and used phrases "Yā Ḥā" and "Yā Ḥādī" in the manner of a Ṣūfī.¹ Under the influence of Shaikh 'Abdu'n Nabī and Makhdūm-u'l Mulk 'Abdu'llāh Sulṭānpūri, he approved of the 'strong measures' against the Mahdists and free-thinkers like Shaikh Mubārak, father of Shaikh Faiḍi and 'Abu'l Faḍl. Imitating the example of Sulaimān Karārānī of Bengal, Akbar ordered the construction of the 'Ibādat Khānah² within the the precincts of the royal palace at Fatehpur Sikri with all the sincerity of a believer. He made arrangements for the pilgrimage of his Muslim subjects to the holy places of Islām and appointed a Mīr-Ḥaj, a superintendent of pilgrims. Every prospective pilgrim was paid Rs. 600/- from the

1. Bad. II. 112 (Trans. Lowe).

1. Bad. op. cit. II. pp. 203-204, 212 (Trans. Lowe).

2. Felix Vayle, Islamic Culture, 1928, Article on Akbar.

royal treasury for his journey. He organised a fleet of a hundred ships called *Jahāz-i-Ilāhī*.¹ In the mosque attached to the *ʿIbādat Khānah* he offered *Namāz* every Friday and held discussions on different topics of religion, science and various other subjects. In the course of these debates, once a question on the permissibility of the number of wives for a Muslim cropped up and many contradictory authorities were placed before him by the supporters of the different sects of *Islām*. *ʿAkbar* found himself rather in an awkward position amidst the conflicting opinions, and instead of formulating an immediate conclusion, he wanted to invite the *Shiʿas* to place their views in the matter. Thus, for the first time came a group of *Shiʿah* learned men into his *ʿIbādat Khānah* which was so long an assembly exclusively of the *Sunnīs*. The unsavoury discussions and debates between the *Shiʿas* and *Sunnīs* in the *ʿIbādat Khānah* were sickening to *ʿAkbar*.² Gradually, the *ʿIbādat Khānah* was extended to leaders of other faiths, and thus came in the *Mahdists*, *Ṣūfīs*, *Sādiqiāns*, *Jews*, *Jains*, *Buddhists*, *Sikhs*, *Christians* and *Hindus* who turned the *ʿIbādat Khānah* into a regular parliament of religions. The spirit of the age was favourable to such a culmination.

1. We do not suggest that *Akbar* was exempt from the usual vices of a young monarch of his age. He indulged in three W-s (*Wine*, *Women* and *Wars*) as any of his predecessors, and he persecuted heretics and allowed conversions of *Hindus*. But inspite of all these, he was something more than any other member of the *Chāghatāi* family. *Bad. Lowe*. II. p. 286. This refers to the period up to 982 A. H. (1574 A. D.)

2. *Moḥsin Fanī*, *Dabistān-i-Madhāhib*, *Nawal Kishore*, Persian Edition, Lucknow, pp. 320-26.

The discovery of the frauds of the Qādis, the embezzlement of the pilgrim fund by the chief religious dignitaries of the state just at that time and the religio-political rebellion of Bengal and Behar naturally affected the views of Ākbar. In the meantime the murder of Shāh Ṭahmāsp of Persia and of the Vizier Sokoli of Constantinople changed the religious balance of politics in Islām and Ākbar took advantage of the situation by reciting a Khuṭbah in his own name composed for the occasion by Faiḍī.¹ Further, a Maḥḍar issued under the signatures of Shaikh Mubārak and other eminent Mullās of the state relieved Ākbar of the perplexing situation in which he was placed by the conflicting interpretations of the texts. In the words of Prof. Sri Ram Sarma, "All that it really affected was to take away from the theologians the right to persecute others for their opinions". The recitation of the Khuṭbah has a political significance in Islām though primarily it is connected with religious observances. The Khuṭbah coming after the murder of Shāh Ṭahmāsp of Persia and of Vizier Sokoli of Constantinople is highly significant. Ākbar's declaration of his position by a Khuṭbah has to be taken into consideration². The court was divided into two conflicting parties—the

1. Bad. II. pp. 268 Text. The Khuṭbah of Akbar :—

Khudāwand ke mārā khasrau-i-dād

Dil-i-dānā o bāzu-i-gawī dād.

Ba 'adla o dād mārā rahnamūn kard.

Bajuz 'adl az khiyāl-i-mā barūn kard

Būd waṣfash zi ḥadd-i-faham bartar

Ta'āla shānuhū Allāhu Akbar.

2. J. R. A. S. 1924, pp. 594-606.

orthodox and the liberal. The regulations, which Ākbar introduced for reasons political and administrative, were interpreted by the former as having been actuated by anti-Islāmic feelings encouraged by the great scholar of the age, Ābu'l Faḍl. The view of the orthodox party has been very ably though sinisterly represented by Mullā Badā'ūnī in his *Muntakhabat-u't Tawārīkh*¹.

Dr. Smith has based his whole theory of Ākbar's religious programme on the *Mahḍar* which he interpreted as an *Infallibility Decree*, and which Prof. Buckler has interpreted as 'a mere political announcement.' The *Mahḍar* presented by the chief 'Ulamā of the state considered along with the recitation of the *Khuṭbah* had certainly some reference to the political situation of the Islāmic world and the interpretation given by Badā'ūnī and following him by Dr. Smith, is not tenable.²

An oath of allegiance was demanded from the officials of the court following the discovery of the complicity of his *Diwān Shāh Maṣṣūr* in the *Mirzā* rebellion of the North-West (1578-81 A. D.).

After the suppression of the Mullā rebellion of Bengal and Behar, as mentioned before, Ākbar deported the guilty Mullās to Qandahar and exchanged them for horses and colts (1582-83 A. D.)³.

Pseudo-mosques which were used as centres of

1. A detailed criticism of Mullā Badā'ūnī's love for half-truths may be found in my article in the Proceedings of the Indian History Congress 1939. *Historical value of Muntakhab-u't Tawārīkh* pp. 376-379.

2. *Bad.* Vol. II. pp 279-281, 303. (Trans) see my work, *The Din-i-Ilahi* on this point. pp 268-275.

3. *Bad.* II. pp. 193-200. Text.

rebellion were destroyed or changed into stables (1583-84 A. D.).¹

The grants called Madad-i-Ma'āsh were to be scrutinised and the limits of the 'Āymas were to be fixed. This order was given in the course of the survey and settlement of lands after Todar Mal had discovered the mismanagement of the revenue department by the Qādis of the state (1578-79 A. D.). The orthodox objected also to the very idea of a Hindu being in charge of survey of Muslim religious grants.²

Acceptance of interest on advances was allowed (contrary to Muslim Law 1583-84 A. D.).

A new basis of computation of the almanac was introduced according to the rotation of the sun which was more scientific than the usual lunar calculation of the Muslims.³

Wine-selling was put under restriction but was not entirely stopped; in other words wine was allowed under certain conditions.

Two of the main sources of royal revenue were lost when the Jeziah and pilgrim taxes which yielded crores of rupees to the state were remitted. This must have been bitterly resented by many in the court.⁴

The Mut'ah marriage was officially allowed after a long discussion in the 'Ibādat Khānah (1576-77). This was bitterly felt by the majority of the Sunnis of the court.⁵

1. Bad. II, pp. 276-277, Text.

2. Ibid. II, p. 65 Text.

3. Ibid. pp. 301. Text.

4. *Dar in sāl ham tamgha o ham Jeziah ke ḥāṣil-i-ān ba chand karour mīrasid bar taraf sākhtand.* Bad. II, 278. Text.

5. Bad. II, pp. 208, 209, 306 (Text).

The Naw-rūz-i-Jalāli was celebrated with great eclat on the coronation day as a mark of connection with the social life of Persia as he felt that the feelings of Persian residents in the court had been wounded after the recital of the Khuṭbah and the issue of the Mahḍar (1580-81 A. D.).¹

Persian festivals like Minābāzār and many other minor ceremonies had already entered into the social life of the Mughals since the entry of Persian ladies into the harem.²

Many Hindu festivals were officially recognised such as Shivarātri, Diwāli, Baishākhī, Rām Nabamī etc. Special ceremonies were connected with each of them and the state treasury made grants specified for the purpose. Kotwāls were instructed as to the method of observance of these festivals.

The Christian Mass and Christmas also found place amongst the recognised festivals of the country.

The Zoroastrian fire-worship was also adopted because the *fire* like the *sun* was considered as the ultimate source of life. Akbar being a believer in the efficacy of occultism, practised some *Yogic* (occult) cults to the extent of recitation of the thousand names of the sun.³

1. Bad. II. pp. 260-61 Text. *Wa in ma'nā bā'ith-i-ta'zim naw-rūz-i-jalālī shud ke āz zamāna-ī-jalūs har sāl dar ān rūz-i-jashn mī-dāstānd.*

2. For details regarding the social institution of Indian Muslims Qanūn-i-Islām by Zafar Sharif may be consulted with advantage. Tr. & Ed. by William Crooke (Oxford University Press).

3. The Indian Historical Quarterly, *Akbar as a Sun-Worshipper* by Hiranand Sastri, 1933.

Tārīkh-i-Ālfī, a history of a thousand years was ordered to be written. It was to begin not from the "Flight" (*Hijrat*), nor would the year be calculated according to the usual lunar method. The orthodox resented this mode of calculation of the date adopted in the official book though it was politically more honourable and astronomically more sound.¹

Religious books like the Ārtharba Veda, Bible, Zend Āvesta etc., and famous books like the Rāj Taranginī, Mahābhārata, Rāmāyana, Yogabāsista etc. were translated and the usual Bismillāhi'r-Raḥmān -i'r-Raḥīm in the beginning of a book was substituted by Allāho Ākbar. The translation of the Bible was begun with *Aye Name wye Jesu Christo* and the Bhāgabatgītā with the title *Shree Bhagwate Namō*. Christian and Hindu titles were given as marks of respect for Christian and Hindu sentiments which the orthodox interpreted as denouncement of Islām.²

After the discovery of the distortion of the sacred texts by the Mullās in the course of their propaganda against Ākbar's alleged irreligiosity prior to the rebellion of Bengal and Behar, Ākbar ordered a change in the curriculum of study. Henceforth, more stress was to be laid on the study of secular sciences than on purely theological subjects in Arabic. Persian had already been made the language of the state. In official documents Arabic letters ذ ض ص ع ح ث were substituted by purely Persian characters.³ Thus was written. *احدى* as *ابراہیم* and *احدى* as *عبدالله*.

1. Bad. II. p. 301. Text. *Tārīkh-i-Ālfī ās riḥalat navisānand*.

2. Bad. II. p. 260-61. Text. *Ma'ārif*, Lucknow, Vol. III. pp. 230-236.

3. Bad. II. 307 Text.

An "Assembly of Forty" (Chahal Tanān) was organized who vowed to do things according to reason and not blindly according to "authority". (Sanad).¹ It was a logical consequence of the acrimonious debates of the Ibādat Khānah.

Though an old custom in India since the time of Balban, *Sijdah* which had been discontinued long ago, was reintroduced by Tāju'd-Dīn in the court in the form of Zaminbūs (kissing the ground). Tāju'd-Dīn brought in some apocryphal texts and ethical explanation in support of the institution. Abū'l Faḍl mentioned that this mode of salutation was not a compulsory formality. But it was ultimately confined to the harem.²

Shaving of beard was permitted by a Fatwā of Ḥājī Ibrāhīm. Faiḍī and Abū'l Faḍl had their hairs, beards and eye-brows shaved after the death of their father Mubārak.³

Silk dress and gold were permitted to be used in India though in Arabia they were prohibited by some of the early Sunnī Khalifas.⁴

The marriage system was regulated. Every marriage had to be entered into an official register

1. Ā'in, Bloch—p. 206, N. 3.

2. Bad. II. 259-61, Text. *Wa Sijdah barā'i ū tajwīz kardah ānrā samīnūs nāmīdand wa riā'yat-i-ādab-i-Padshāh farḍ-i-ā'n shumardand*. Kissing of the ground was a formality in the 'Abbāsid court also. According to Arnold, the 'Abbāsid' copied it from the Persian court. They "made the subjects kiss the ground before them and in case of higher officials, permission was given either to kiss the Caliph's foot or the edge of the robe". Arnold, Caliphate, p. 29. Ā'in. Blochmann, pp. 167-168

3. Bad. II. p. 388, Text. *Pisarānash dar taghrīt sar wa rīsh wa baruwat wa ābrūrū dar ḥalq muwāfiq rīsh sakhtand*.

4. Bad. II. text. p. 306. *Wa abrīsham pushī khūd 'ā'n fariḍah gast*.

(1592-93 A.D.). Islām¹ permits four wives at a time. Ākbar's personal experience dictated to him that the equal and fair treatment of all wives as enjoined by the Qur'ān was hardly possible. His regulation was one man, one wife—unless the woman was old, barren or sick. Ākbar was also charged with apostasy for marrying Hindu wives—who did not belong to the groups of the 'Receivers of the Revealed Books'.² (Aḥlu'l-Kitāb). There has been much discussion on the point and though opinions as to the validity of marrying a Hindu wife unless she was converted, differ, yet the concensus of opinion was in favour of such unions specially when the Hindus regarded a woman of their community touched by a Muslim as no more Hindu. Her status was determined by the change of her name and by the manner of her burial, for she was given a Muslim name and she was not cremated but burried. Instances of Muslims taking Hindu women, in or out of wedlock, were not new in India³ and their children were not debarred from succeeding to the property of the Muslim father. But what was not objected to in other cases, was criticised

1. Qur'ān, VI, V. 3 permits four wives :—*Fānkihū mā ṭāba lakum min annasa'mathnā wa thulatha wa ruba*. For details of Akbar's marriage regulations, Bad. II, pp. 208-09, 315. Ā'in, Blochmann, pp. 182, 204, 213.

2. Do not marry unbelieving women until they believe, so says the Qur'ān II, V. 221. *Wa la tankihū al mushrekati ḥatta yū'minn*.

3. Alāu'd-dīn and Mubārak married Hindu wives; according to Yūsuf Ali, Amir Khusru's mother was a Rawal Rajput lady. The Tughluq family comes out of marriage of Tughluq Shāh with a Rājput lady of Gujarat, Firūz Tughluq's mother was Nila Debi of Dipalpur; Quṭb Khān, nephew of Islām Khān, was the son of a Rājput mother, Sikandar Lodī was the son of a goldsmith woman (probably a converted Hindu).

in the case of Akbar by the Mullās for reasons more personal than religious.

Prostitutes were segregated to protect the city from their unholy contamination.¹

Alms-houses were established under separate arrangements, and alms were distributed to all kinds of subjects without discrimination. Charities were distributed on Fridays on the royal polo-ground and every day in the morning while coming out from the *Darshaniya Manzil*. (Hall of Royal Appearance)

Allāho-Akbar was introduced as a mode of greeting instead of 'Alay-kūm-u's-Salām.

Sati was discouraged. This was actuated by a feeling of reform of Hindu customs to which objection, if at all, might be taken by the Hindus, but they did not object whereas Badā'ūnī did.

Circumcision was not to be done before the age of twelve and that, too, was made optional.

Muslim theologians were very touchy in matters which concerned their religion and there was a general tendency to include every detail of life within the purview of religion.

Akbar's regulations directly dealing with religion were few; his political, economic, cultural and social regulations were many and they had been mixed up with his religion. Religious regulations were those that concerned Salāt (prayer), Zakāt (Charity), Thau'm (fast) and Hajj (pilgrimage). As against the law providing for five compulsory prayers, Akbar enjoined three prayers a day in

1. Ibn Hasan, op. cit. p. 286. Ā'in, Blochmann. pp. 201-202.

his instructions to the governors as has been mentioned in the *Dabistān-i-Madhāhib*.¹

Ākbar had a travelling mosque with him, so says Father Xavier. He utilised this travelling mosque during his journey. Regarding pilgrimage, no Indian Muslim Sultān ever went on a pilgrimage to Makkah personally ; it was Ākbar, who like Sikandar Lodi, provided allowances to the intending pilgrims and he organised a hundred ships for the purpose and he named this fleet *Jahāz-i-Ilāhī*. But, after the discovery of the embezzlement of the pilgrims' grant, it was stopped. No one has mentioned that Ākbar did not observe the compulsory fast. Had he done so, certainly it would have been mentioned by the contemporary chroniclers. That the *Zakāt* was in vogue may be inferred from the discussions of the *'Ibādat Khānah* when the great *Maulānā* was charged with not offering the customary charity.

In so far as belief in God was concerned, Ākbar did believe in *Allāh* ; he accepted *Muḥammad* as a Prophet and addressed him as *Paygambar-i-ma*, that is, our Prophet. One of the reasons why Ākbar refused to fight against the ruler of Persia in spite of the request of *'Abdu'llāh Khān Uzbeg*, was that the Persian king belonged to the family of the Prophet². It is argued that Ākbar claimed divinity because he changed the usual caption of *Bismillāhī'r Raḥmān-i'r-Raḥim* into *Allāho Ākbar*, and because he substituted the usual *'Alykum'us-Salām* by *Allāho Ākbar*, which means *Allāh* is great,

1. *Dabistān*, Vol. I. pp. 121-137, Trans.

2. A. N. III. p. 271, Text.

or Allāh is Akbar. Akbar was further maligned after the rebellion of Bengal and Behar¹ as the destroyer of the copies of "Qur'āns" and Mosques. Akbar justified this action, on the ground that these books were not Qur'ān because the revealed texts had been distorted to suit the conclusions of the propagandist Mullās.² Abū'l Faḍl deemed it an act of merit to copy the Qur'ān ; even in the evening of his life Faiḍi used to make conversions of the Hindus whenever possible, so says Badā'ūnī. Those mosques were not prayer-houses, but centres of rebellion ; so they deserved destruction.

Personally Akbar did not follow all the details of religious practices as were expected from an orthodox Muslim. The spirit of his administration was no longer guided by theological considerations and he was not very punctilious about the details of rituals as enjoined by the Mullās and the orthodox Muslims. The larger problems of the state were discussed from the stand-point of reason and principles. The 'unclean things' as prohibited by Islām, such as the rearing of dogs², eating of pork, selling of wine and disbursement of religious grants through the hands of *Kafirs*, were allowed without any hesitation ; much of the vested interests of the 'Ulamā classes were taken away and placed in the hands of royal officers ; non-Muslims were allowed to build their places of worship³, to make converts, to serve the state, to live without the payment of the Jeziah. The orthodox interpreted

1. Din-i-Ilahi, pp. 90-93. Smith, Akbar, p. 207.

2. Bad. II. p. 305 Text.

Chand shagrā dar Safrāh hamrāh girifatah ta'am ba 'anhā mīlchurdān.

3. Bad. II. 392.

that the empire had passed into "profane hands". However reasonable those regulations might appear to modern minds, Islām with its unvarying allegiance to the Shar' considered itself justified in interdicting Ākbar and the Mullās actually passed injunctions against him that he was "a lost Muslim."

The Dīn-i-Ilāhī was not a new religion ; it was never consciously intended to unify the different peoples living in the empire through the medium of a common religion. No force was applied to convert people to the Dīn-i-Ilāhī ; only 19 members of importance of whom Bīrbal was the only Hindu, were found to have accepted the creed. If Ākbar intended to use this cult as a means for political unification of his subjects, he would not have put restrictions against new and intending entrants into the creed. Ābū'l Faḍl says, "strict examination was made before new entrants were admitted into the fold." Further, if political unification of the subjects through the medium of a common religion, was the object, why should Ākbar allow places of worships to be built by members of other faiths ? The members of the creed of the Dīn-i-Ilāhī like other Muslims were orthodox. Ā'zam Khān, a member of the order, protested against the grant of concession for building Churches to Christians in Hindustan. Ān Ilāhīa deemed it an act of merit to go on Ḥajj to Makkah, or to copy the Qur'ān, or to make conversion into Islām.¹ The Dīn-i-Ilāhī was a Sūfī creed and there were many such creeds in the country at that time ; the ten command-

1. Ā'in, Blochmann, pp. 217, 345, and No. 21.

ments recorded by Mahsin Fani were very general.¹ It received so much prominence simply because it was practised by the emperor and the great dignitaries of the state. Badā'ūnī,² who always felt that his merits had been ignored and who was smarting under a spell of jealousy against his school fellows, Faiḏī and Ābū'l Faḏl, wrote unpleasant half-truths and untruths. Badā'ūnī deliberately distorted the actions and sayings of the emperor, Ākbar. Badā'ūnī could not tolerate any Muslim discussing religion with a non-Muslim, whether he was a Christian, a Hindu, or a Jew. In spite of the intellectual background of the age, the orthodox Mullās regarded Ākbar's empire as "Profane," and the Mullās had their own justification.

Salim was the child of many prayers and was supposed to have been born under the blessings of Saint Salim Chishtī. In the Mughal empire, he was the first product of the Turko-Rājput union combining in his person the blood of one of the ablest of the Turks and one of the proudest of the Rājputs. Hardly any Timūrid prince ever enjoyed so much good fortune as Salim did in his early days. His father was passing through an extremely susceptible period of mental existence and it was not unlikely that Salim was to some extent unconsciously inspired by the eclectic influences of his father. Salim grew up in the liberal atmosphere of

1. For Ten Commandments in Persian, see Dabistān. Consult my article on Akbar in the *Proceedings of the History Congress*. Calcutta, pp. 1061-1097 and for Badā'ūnī, see the *Proceedings of History Congress* Allahabad, pp. 376-379.

2. Bad. II. p. 392, Ā'in, Blochmann pp. 217, 345, Note 21.

the famous 'Ibādat Khānah, one of the first really great Parliaments of Religions of the world. He would often sit with his father in the Hall of Worship for hours together listening to the discussions, associating with men like Shaikh Mubārak, Faiḍī, Abū'l Faḍl, Abū'l Fath, Purushottam, Devī, Rudolph, Xavier, Bhānuchandra, Siddhī Chandra, Vijayasen Sūri and others. He became versed in Turkī, Persian, Arabic, Hindustani and Sanskrit; he took some lessons in Portuguese also.¹ He acquired interest in music, calligraphy, painting and similar fine arts; and his hobbies were geography, exploration, alchemy and discussion with learned men.²

By the time Jahāngīr was on the throne of Delhi, the forces of the time had done their work and the eclectic tendencies of the 15th and 16th centuries tended to freeze. The 'Uthmānī-Tīmūrīd contest for the position of honour was practically over,³ but Shāh 'Abbās II was looking towards Qandahar with wistful eyes as a part of the Persian claim to supremacy over the Tīmūrīd.⁴ An imperialistic psychology which Jahāngīr inherited from his father would not brook any such superiority, nor

1. MacLagan, J. A. S. B 1896, 1. pp. 50-51.

2. Tūzūk II. pp. 60-61, Tr. Beni Prasad, Jahangir, pp. 129, 443

3. Constantinople was now busy with its Christian neighbours and had but little time to take any active interest in the affairs of distant Hindustan.

4. Tūzūk Vol. I. 233-4 Tr. Vol. II Tr. 159-160. That a diplomatic relation existed between the Tīmūrīds and Ṣafāwīs is found in the betrothal of prince Khurram to a Ṣafāwī princess, a distant grand daughter of Shāh Ismā'il in spite of the betrothal of Khurram to Arjumand Bānū, daughter of Āsaf Khān.

would his wilfulness allow any Mullā to take a position of pride in the state. Already the Mullā claim to guide the affairs of the state had been brushed aside by his father. Jahāngīr's spirit of romance and his curious mind gave a freshness to the tenets and practices followed by his father. His inquisitive mind did not refuse to have interviews and conversations with learned men of any creed or denomination. His interest in making experiments would willingly try any reasonable hypothesis without prejudice. This elasticity of his temperament has been responsible for diverse estimates about his faith and character.

Jahāngīr was born of a Hindu mother, Jodh Bāi, who, though married to a Muslim, stuck steadfast to some orthodox practices of her birth by retaining the Ganges-water, sacrificial fire, *Tulsi* plant and a Brāhman cook. Jahāngīr inherited from his ancestors a mystic regard for saints, tombs and *Darwishes*. Like his great ancestor Chengiz, he believed that "a man may be saved in every faith".¹ The free atmosphere of the 'Ibādat Khānah left impressions on his young mind, and when he grew up he drank deep in the fountain of wisdom of other nations that was opened by works of translation done in his father's court.² His teacher 'Abdu'r Raḥim Khān Khānn was a symbol of Hindu-Muslim cultural fusion.³ For

1. Della Valle p. 52. Jahāngīr like Chengis Khan said, "there is more or less truth in every religion."

2. For a list of translations of religious books of other nations, see *Ma'ārif* Lucknow, Vol. III. pp. 230-236, and my article on the *Influence of Islām on Hindu culture* in *A. B. Patrika*, Calcutta, 15th & 16th Aug. 1936.

3. *Bhāratbarsha*, Calcutta. B. S. 1343, pp. 265-267.

instructions in the Bible and in the Portuguese language, his father put him under the charge of Father Xavier whose association brought him in direct touch with the faith and culture of the western world. He associated very intimately with a Hindu saint, Jadrūp, for whom he had a sincere regard.¹ He developed great sympathy² for animals which was mainly due to his association with Jain priests who came to his father's court; one of them, Siddhi Chandra, was honoured by him with the title of Nadīr-i-Zamān.³ If Ākbar laid stress on the veneration of the Fire, Jahāngīr laid more stress on the veneration of Light. It is interesting to note that his wife was the Light of the palace or Light of the world (Nār-Mahal or Nār Jāhān), his horse was Nūr-i-Āsp, his elephant Nūr-i-Fil, his measuring rod was Nūr-i-Gaz, his own title was Nūr-u'd-Dīn. Was this association with Nūr (Light) a mere accident?

The eclectic tendencies of his father naturally devolved upon the son also. Men of different faiths came in contact with him; each had his own angle of vision and each evaluated him according to his own perspective. The Mughal Empire from the middle of the 16th to the middle of the 17th century was possibly one of the best-governed states in the Muslim world and as such it was the resort of all those who wanted 'the peace of the state' (Dāru'l Āmān). The door of Mughal India was open to all and each was allowed

1. Tūzuk, I. Tr. pp. 355-359, Vol. II. 49, 52.

2. He did not, of course, give up hunting though he prohibited sacrifice on Tuesdays and Sundays, and on one's birthdays. Tūzuk, I. Tr. p. 9.

3. Indian Hist. Quarterly, 1933. 137-139. Hiranand Sastri gives a description of the influence of the Jains on the Mughal court.

to follow his own practices with minimum interference from the state. He extended toleration to all—including the right to build a church or a temple, though this concession was resented by the orthodox ; they branded Jahāngīr as an apostate. He executed Gūrū Arjūn, and the Sikhs never excused him for that. Manucci says that Jahāngīr was baptised ; the author of the *Tadhkirāt-u'l-Mulūk* says, he was a member of the *Dīn-i-Ilāhī*. Indeed, he gave orders for the execution of Arjūn for political reasons, because the Gūrū had helped the rebel Khusrau, but Jahāngīr offered him his life for a 'blood money' of Rs. 100,000/-. The Gūrū refused to purchase his life for a price and asked his followers not to pay the fine, because he felt that by death he would serve the cause of Sikhism better than by obtaining a fresh lease of life on payment of the fine.¹ That Jahāngīr was not pronouncedly against the Sikh religion is proved by the fact that he did not persecute the Sikhs as a community though their Gūrū was executed.

The Jains were very hard on Jahāngīr because they were turned out of his kingdom. The Jain Gūrū, Mānsingh, had predicted after the accession of Jahāngīr that his reign would not last for more than two years. This encouraged some big Jain officials and chiefs to revolt and join Khusrau in his rebellion.

1. Macauliffe—IV. pp. 10-40. The *Dabistān* says that Arjūn used to make converts to Sikhism from Islām. This was resented by Jahāngīr. Prof. I. Banerjee holds that this execution of Gūrū Arjūn was religious. But it was doubtful if Arjūn would have been executed if the blood money were paid ; lover of justice as he was, he could not kill Arjūn if the fine would have been paid. I. Banerjee, *Evolution of the Khalsa*, pp. 246-66, Beni Prasad, *Jahangir*, p. 433, *Calcutta Review*, 1869, pp. 139-40. *Tūzūk*. Tr. Vol. I. pp. 72-73.

Rāi Singh of Bikaneer actually revolted and gave much trouble to Jahāngir. This was the main reason why the Jains were asked to leave the kingdom and they took shelter in the neighbouring Hindu states. In the twelfth year of his reign, when on a visit to Gujarat, Jahāngir externed the Jains on the ground of nudity.¹ Otherwise when he had no reason to be dis-satisfied, he did not trouble them. In fact, there were Jain saints at his court and one of them, Siddhī Chandra, was honoured with the title of "Kḥūshfahām" and "Nadīr-i-Zamān."

The Christians who came to India during this period were generally merchants, ecclesiastics, or adventurers. It was the custom with the Europeans to write about the wonder-land of India and of her curious things. Few of them could really approach the king or the court, and even those, who had the proud privilege of personal interviews with the Emperor could not shake off the prejudice peculiar to the profession to which they belonged. Consequently, the colour and touch of the contemporary Christian letters and despatches are the reflection of their own mind and inclination.² At different periods of their stay, they gave different descriptions of the king and the princes. Some of them said that Dānyāl had been converted into Christianity³ and that Jahāngir himself was about to be converted. Again,

1. For details of Jahāngir's relation with the Jains. see Tūzūk, pp. I 437-8, trans.

2. For Christian perspective, consult Introduction, the *Din-i-Ilahi*, pp. XXIX-XXXVII.

3. The reason for this conversion was that an astrologer said that instead of Jahāngir, his brother's line would occupy the throne. Jahāngir wanted to stop it beforehand by converting his nephew to Christianity. But soon after, Jahāngir ordered the reconversion of the Christian nephew to Islām in 1611. Hawkins, pp. 86, 116.

the Christian priests said that Jahāngir was actually converted in 1627.¹ There is no doubt that Jahāngir was sympathetic to the Christians and granted them permission to build churches and make conversions² but he never underwent conversion.

The orthodox Muslims could not tolerate the liberal tendencies of the Emperor. They resented the permission given by a Muslim Sultān to build the temple of Keshab Rāi at Mathura or of Madan Mohan, Gopīnath and Mahāprabhū at Brindaban.³ He conversed with the Hindu Yogis ; he observed the Hindu festival of Dashera,⁴ Diplālī and Rākhi. Like his father, he believed the *yogic* practices to be efficacious for health. But at the same time he disbelieved in and sneered at the Hindu doctrine of incarnation and idol worship.⁵

So far as Islām was concerned, he was stigmatised by the orthodox as was his father, but the stigma was less, because as time wore on, the Mullās had more or less compromised their position with the changed circumstances. He continued the *Sijdah*⁶

1. When Jahāngir ordered for a picture of Mary and Jesus for his bed-room, the priests felt flattered that they had converted the 'Great Mogor'. Indeed, born in the atmosphere of religious persecution, the Christian priests could not understand the cultural psychology of the Mughals which prompted them to appreciate beauty in a picture revered by the followers of another religion.

2. He allowed the Christians to observe their feasts and festivals and sometimes paid them money. Payne, *Jesuits at the court of Jahangir* : pp. 32-33, 46-47, 75.

3. *Travels of Abdul Latif*, p. 33.

4. *Tūzuk*. Tr. by Rodgers and Beveridge. I. pp. 246, 268, 361, II. pp. 94, 95, 100, 176, 186. Beni Prasad. op. cit. pp. 41-43.

5. Tery, op. cit. p. 407. Beni Prasad, op. cit. pp. 441, 442, n. 243.

6. Jahāngir made a concession to the Qādis and Mir'Adls ; they were not to offer *Sijdah* or *Zaminbūs*. *Tūzuk*. Text. p. 100. Tr. I. 203.

Solar Era,¹ new mode of salutation and other reforms which his "mysterious and mystic" father had introduced. As such the author of the *Tadhkirāt-u'l-Mulūk* says that Jahāngīr was a member of the *Din-i-Ilāhī*. At the same time he offered the *Namāz*, observed the *Ramaḍān*, *Muḥarram*, *Shab-i-Barāt*,² as much as he followed Hindu customs of *Rākhi*, *Shivarātri*, *Dasherā*, *Diwalī*³ and the Christian Easter and Christmas.⁴

The eclecticism⁵ of Jahāngīr confounded the unsuspecting Christian writers of the 16th Century and one of them went so far as to say that Jahāngīr made a new religion,⁶ and a modern critic has written that Jahāngīr disbelieved in Muḥammad.⁷

But all these remarks are only partially true. Jahāngīr was a Muslim for all practical purposes. He

1. Usual method of calculation of the date according to the Muslims is by the rotation of the moon. But 'Umar Khāyyam pointed out that solar calculation astronomically was more sound. Akbar adopted the solar calculation for which he was branded. *Bad. Vol. ii* p. 301. Text.

2. For Jahāngīr's *Ramaḍān*, see Payne, *Akbar and the Jesuits*, p. 72; for *Muḥarram*, *Tūzuk*, Tr. I. pp. 268, 361; II. 94, 95, 100, 176, 186; for *Shab-i-Barāt*, *Tūzuk*, Text. p. 276.

3. For Jahāngīr's *Rākhi*, see *Tūzuk*, Text. p. 124; for *Siv-Rātri*, *Tūzuk* Text. p. 179; for *Dasherā*, *Tūzuk*, Text. p. 280 for *Dipālī*, *Tūzuk*, Text. p. 132.

4. Payne, *op. cit.* pp. 32, 33, 46, 47, 75.

5. Della Valle frankly observed "Hindus and Muslims live all mixt together and peaceably, because the Grand Mughal.....although he be a Muhammadan (but not a pure one as they resort) make no difference on his dominions between one sort and the other, and both in his court and armies, and even amongst the highest degree, they are of equal account and authority, though he adds that Muhammadans had some little more authority", Terry, *Purchas*, ix, 52.

6. Coryate, *Crudities*—Early Travels in India, Ed. Foster, p. 280.

7. Beni Prasad, *op. cit.* p. 441.

maintained the Muslim structure of the state; his judiciary was modelled on the Arabian structure with the same dignitaries and the principles. The Şadr-u'ş-Şudūr was continued as the highest religious dignity of the Muslim state in India though his powers were curtailed.¹ Heresy was punished as before; Shaikh Ibrahīm of Lahore was persecuted for holding an unorthodox opinion.² Temples were demolished at Pushkar.³ At Kangra, his soldiers celebrated the first victory of the Muslims by desecrating all the temples and killing a bullock within the precincts of the main temple.⁴ At Ajmere the great temple of Boar was destroyed;⁵ when at war with the Portuguese, he closed their church at Agra.⁶ Though he issued orders to provincial governors not to make conversions, Jahāngir himself converted some Armenian Christians to Islām.⁷ Todar Mal, son of Rājā Sangrām of Kharagpur, Behar⁸ was converted. Hindu children that were circumcised by Akbar were converted by Jahāngir.⁹ Prisoners were sometimes pardoned if they agreed to be converted to Islām.¹⁰ Two Muslim young-men Quṭb and 'Umar Khān were whipped for

1. Ibn Hasan. *op. cit.* pp. 272-274.

2. *Indian Culture*, IV. p. 312.

3. *Tūzuk*, i. 254 Tr.

4. *Ibid.* II. pp. 222-223. Tr.

5. *Ibid.* I. p. 254 Tr.

6. *Indian Culture*, IV. p. 312.

7. Payne, Guerriero, *Tran.* pp. 16-23.

8. The name of Todar Mal was Rūz-Afzan. *Tūzuk*. Tr. I. pp. 36, 223, 82-83. *Proceedings, Indian History Congress, 1942*, my article.

9. Payne, *op. cit.* p. 15.

10. *Ibid.* pp. 72-73.

frequenting the house of a Hindu Saint.¹ At Bajuri, Hindus were asked not to contract matrimony with any Muslim girl.² These instances conclusively prove that though not an orthodox Muslim, Jahāngīr was conscious of his duties as a Muslim sovereign.³ He enjoyed recitation of the Qur'ān. He ordered the building of a Mosque for rupees eight thousand,⁴ and he allowed one fourth of escheated property to be spent on building Mosques;⁵ and the pilgrim tax abolished by Ākbar was re-imposed by him at least in some places.⁶

Prince Khurram was born in 1592 A.D. while Ākbar was alive. His mother, Jagat Gossāinī' daughter of Motā Rājā Udai Singh.⁷ Hindu astrologers were consulted to reckon the influence of planets on his life and career. His education included the study of Persian and Hindi; and he knew a little Turki too, though he was not keen on learning his ancestral tongue.⁸ He had also a Hindu wife. His harem was a cosmopolitan.

1. Tūzuk. I, p. 83, Text.

2. Ibid. I. p. 322.

3. See ante p. 135-137. One main duty of the sovereign was to protect the Faith.

4. Tūzuk, I. p. 119 Text.

5. Ibid. I. p. 5, Text.

6. Qanungo. Dara Shukoh. p. 384.

7. Tūzuk. I. Tr. p. 19. The title Jagat Gossāinī which means 'the priestess of the world' was given to his wife as a sarcasm because she tried to continue as far as possible the orthodox traditions of the family. J. N. Sarkar suggested that Jagat Gossāinī, "Lady of the world," was a religious dignity, (Mughal Adm. Pt. III. p. 39), but it was not so.

8. Lāhorī, Vol. I. pp. pp. 132-33, Qazvīnī f. 134; Beni Prasad, op. cit. 15.

In his early life he was initiated to drinking by his father against the tenets of Islām. Manrique says that Shāh Jahān had obtained wine from the Portuguese on one occasion at least.¹ Nobody has suggested that he utilised the liberal tendencies of his father to rouse the orthodox feeling as his son Āurangzeb did against Dārā. One of the earliest acts after he ascended the throne was to give up certain unorthodox regulations of his grand-father which were continued by his father such as, the Sijdah or Prostration² The Lunar Era was substituted in the place of Ākbar's Solar Era. The phrase "Allāho Ākbar" was no longer to be used in the text of the coins, and at the beginning of books, and it was substituted by the usual "Bismillāh'r Rahmān'r Raḥim." The Sijdah was stopped though on his accession Āsaf Khān was permitted to kiss the feet of the Emperor.

The unusual promptness which he demonstrated in posing as an orthodox Muslim soon after his accession, is an indication that there was a feeling against the liberal institutions of his father and grand-father. Shāh Jahān continued his anti-Hindu drive for the first ten years of his life.

1. Tūzuk. Tr. i. 306.

2. For religious implications of Sijdah, see ante 196, n. 2, Shāh Jahān introduced Zaminbūs which again was re-substituted by *Chahār Taslim*. Lāhorī. Vol I, Pt. i. pp. 110-2.

Chahār Taslim has been described by Manucci thus: "I rose, stood quite erect, and bending my body very low until my head was quite close to the ground. I placed my right hand with its back to the ground, then raising it put it on my head and stood up straight. This ceremonial I repeated three times." Manucci, I. pp. 87-88.

Shāh Jahān also prohibited the use of wearing the portrait of the Emperor on the cap by the Muslims.

At once the orthodox section found in his rule the revival of the good old days of Islām. 'Ābdu'l Ḥamid Lāhori actually addressed him as "the origin of the Shar'" (Sacred Law).¹ He was regarded by the orthodox as a Mahdi, the saviour of Islām, and they placed their faith on him for the restoration of Islām to its pristine form and raise it from the pit into which it had 'sunk' during the last two reigns. No other Mughal emperor has been the recipient of so many encomiums as Shāh Jahān; and he was intelligent enough to play to the gallery. Every year Rs. 30,000/- was reserved for charity in the month of Ramaḍān and Rs. 10,000/- for Muḥarram, Rajab and Sha'bān. He won over the orthodox section to his side by remitting large sums of money to the Sharif and the people of Makḡah and Madinah.² In about 25 years his remittances amounted to more than one million rupees, with an average of Rs. 50,000/- a year. In so far as the pretensions of the Sultān of Rum were concerned, he was not prepared to accept any Muslim as superior to the Timūrids. With him the superiority of blood weighed no less than those having religious pretensions.

Shāh Jahān regularly offered the Namāz, read the Qur'ān and enjoyed the Hafiz reciting the Qur'ān before him; observed the Ramaḍān and celebrated the Milād Sharif. So far as the relation between

1. Lāhori. Text. Vol. I. p. 7.

2. Lāhori, Vol. I. p. 204. It was practically a custom since Akbar. This remittance was both religious and political.

the State and Religion was concerned, he anticipated Āurangzeb. In 1633, he ordered the demolition of all the newly-built temples in the empire especially those at Benares. This order was followed by another which similarly prohibited the construction of new temples or repair of the old ones.¹ The Hindus were forbidden to dress in a Muslim style. They were not to cremate the dead or burn the Sati near the grave-yard of a Muslim. They were not allowed to purchase Muslims captured in war and sold as slaves.²

Hindu-Muslim marriages were in vogue in India, especially in the Punjab, Kashmir and Gujarat in spite of the apathy of the Muslim governors. Shāh Jahān issued a royal Farmān forbidding the marriage of Muslim girls with the Hindus and asking the Hindus to surrender all their Muslim wives. If any Hindu wanted to retain a Muslim wife, he must be converted to Islām and marry the Muslim wife *de novo* according to the Muslim Law (1634).³ Dalpat Rāi of Sarhind had a Muslim wife and he refused to surrender her a result of which he was murdered and his body dismembered.⁴

1. For the destruction of temples by Shāh Jahān, Pādshāhnāmāh by Lāhōrī gives details. Vol. I, Pt. I. p. 452, Pt. II. p. 58. Khāfi Khān I. pp. 454, 472, 510. Tavernier, I. p. 309.

2. For the regulation of dress by Shāh Jahān, see Qazvīnī, VI. 445 (B. M. ov. 173) and for purchase of slaves, see Qazvīnī I. p. 405.

3. Lāhōrī. Vo ; I. II. Text. 9, 133. Khāfi Khān, I. p. 510. Tavernier. I. 309.

4. Lāhōrī. Vol. I. Pt. II. p. 57. In fact, technically speaking there could be no sacramental marriage between a Hindu male and Muslim female though concubinage was common.

There are references in contemporary histories that proselytization became the policy of the Mughal State under Shāh Jahān ; the department for proselytization was placed under Shāh Mirzā Lāhorī and Muḥibb 'Alī Sindi'.¹ Prospect of money or lure of state service and honour in the court brought about conversions in a large number. The new converts, when presented to the King, were honoured with dress, cash, titles and distinctions.² No Hindu was allowed to preach against conversion. There are recorded instances of payment of cash from the royal treasury. As for example, Rāja Bakhtwār, son of Raj Singh Kachwaha, obtained a robe and 200/- in cash after his conversion. His son, Purshottam Singh, was honoured with the title of Sa'adatmand on his change of faith.

Regarding forced conversion, we know from the Pādshā Namah and contemporary Christian records that two sons of Jajhar Singh, whose family had rendered such eminent services to Shāh Jahān's predecessors, were converted ; Durgabhān was named Qālī (servant) and Dājan Sāl was named 'Alī Qālī (a great servant).³ Maclagan in his famous work, *Jesuits at the court of the Mughals* quoted that "the Christians captureed from Bengal were asked to accept Islām ; those who did not, were put into prison."⁴

1. *Tabqāt-i-Shāh Jahāni*, Khuda Buksh Library Ms. 317 f.

2. *Pādshāh Nāmāh*, Qazvīnī. 302 f. Prof. Barakatullah in his *Khilafat* (Luzac & Co.) supported such actions of a Muslim ruler. p. 30.

3. Lāhorī, Vol. I. pt. II. 133, Text.

4. Khāfi Khān, E. D., Vol. III' pp. 211-12. Qazvīnī, op. cit. 299 (b).

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4. Khāfi Khān, E. D., Vol. III' pp. 211-12. Qazvinī, op. cit. 299 (b).

There are some historians who want to find liberalism in Shāh Jahān and quote his Farmān that he stopped cow-slaughter in Cambay. No doubt he made some concessions. But he exacted large cash in lieu of his concessions.¹ So the grace of the concessions was spoiled by the price paid for them. Manrique says that in Orissa peacocks, regarded as sacred animals, were not allowed to be killed.² Shāh Jahān did not revive the Jeziah which was rather incumbent in an orthodox Muslim state inhabited by the Dhimmīs. But possibly political sense prevailed and he scented trouble, because even in distant places the small amount of pilgrim tax, which he revived, could not be realised on all occasions without trouble.

From the above accounts, Shāh Jahān seems to have realised that he was ruling as a Muslim ruler over a Muslim state whose duty was to "preserve the faith, to propagate the faith, and to save the faithful from falling into pitfalls". He destroyed temples, warred against the Kāfirs like the Hindus and infidels like the Shī'as,³ against the "lost peoples" like the

1. Della Valle. Travels, Vol. I. p. 71.

2. Manrique, Account, Vol. II. pp. 105-15. Was it for the beauty of the peacock which Shāh Jahān liked and on which he modelled his famous *Takt-i-Taus* (peacock throne)? Shāh Jahān had a peculiar fancy for the peacock; his walls were decorated with peacock-design. His Zoo contained the largest number of peacocks.

3. Shāh Jahān forced Quṭūbu'l Mulk to proclaim himself a Sunnī. He had to inaugurate certain Sunnī rites in his state. One of the conditions of cessation of hostility between them was the adoption of Shī'ism in Golconda. Khāfi Khān, I. 533.

Shāh Jahān justified his campaign against Transoxiana by saying, "the Mussalmans were being tyrannised there," and to save their lives and honour, "I have left Lahore, come to Kabul and despatched Prince Murād to conquer Balkh." Lāhōrī, ii. pp. 595-602.

Christians. He sent gifts to Makkaḥ, enjoyed illuminations on the 'Id festivals, attended the Milād Sharifs, propagated the Faith officially and made conversions to Islām. At the same time, he remitted taxes on Hindu pilgrims in some places, did not revive the Jeziah, allowed restoration of the temple of Chintāman,¹ appointed non-Muslims to the state service, patronised the profane literature and reserved the right of giving final decision in religious matters as much as Ākbar did it by the Mahḍar.² Once Shāh Jahān described himself as the 'Shadow of God' to the ruler of Golconda. He liked to pose as 'God on Earth'.³ Actually his envoy in Persia, Khān 'Ālam claimed before the Shāh that the Mughal king was 'God on Earth'.

The Hindu *pandit* Jagannāth hailed him as :—

दिल्लीश्वरो वा जगदीश्वरो वा

घनेन मां पुरयितुं समर्थः ।

अन्यैः नृपालैः परिदीयमानं

शाकं वा स्यात् लवणं वा स्यात् ॥

"The king of Delhi or the lord of the earth can satisfy me with money.

Other rulers of men can at best give vegetables and salt."

1. The temple of Chintāman was built by Sitadas Sonar near Saraspur in Ahmadabad and was destroyed under orders of Aurangzeb when he was governor of Gujarat in 1644. But it was restored under orders of Shāh Jahān.

2. Chahār Chaman, f. 276.

3. Lāhorī, i. p. 174. II. p. 461 Khāfi Khān ; M. L. I. 218 Mahabat Khān pleaded that God has created king higher than others, Lāhorī. ii. pp. 110—112,

Shāh Jahān started as an orthodox Muslim ruler but within 10 years, the eclectic spirit of the family began to work through him. He could not shake off the influences of his Hindu birth, or of his Hindu association in his private and public life.

The eclectic tendency of the family which is a peculiar trait of the Tīmūrīds often found expression in and through him. Maintaining the structure of the Muslim rule, he adjusted his government according to the needs of the hour. He continued the unorthodox custom of presenting himself on the balcony, a practice which smacked of anthropomorphism; the custom of weighing his royal person (Tulā Dān), the custom of wearing a royal miniature portrait on the turban by the nobles, and the ceremony of giving "Tikā" (marking the forehead) of the Hindu Rajas when they were invested with titles. "His court still remained a happy meeting-ground of the Hindu and Muslim cultures, and Hindu genius and skill in the field of literature and fine arts were liberally rewarded without discrimination of the creed". Again, within ten years of the transfer of his capital from the liberal and cultural atmosphere of Agra to the tradition-ridden Delhi, we find the court divided into two camps representing the two sides of Shāh Jahān—the orthodox party looked upto Aurangzeb as their future leader and the liberal party ranged round Dārā. The cultural tragedy of the reign of Shāh Jahān was partly mitigated by the liberal patronage of Dārā and Jahānāra to the elite of the State. The Mughal empire owes a deep debt of gratitude

to the imperial son and daughter for the great services done to liberalise the Timūrid rule in India.

Āurangzeb combined in him the blood of a Turk, a Mongol, a Persian, a Transoxian and a Hindu, and it is for an expert in eugenics to say how far the virility of Āurangzeb was due to this intermixture of these bloods. Āurangzeb represented the orthodox spirit of Shāh Jahān and he utilised the cry of "Religion in danger" to suit his political purpose; and he obtained his desired result. In his early life he had already given indications of his orthodox propensities and potentialities¹. There is hardly any room to doubt his sincerity in his religious professions. Punctual at prayers, strict in the observance of fasts and feasts of his Faith, serious in his duties as a protector of his religion, Āurangzeb tried his best to live as a true Muslim though sometimes the necessity of the state drew him unconsciously away from his path². Without entering into a political justification of the murder of his brothers and nephews and a moral condemnation for the imprisonment of his father, we may confidently assert that he reversed the entire policy of the Timūrids in India

1. Before his accession, Āurangzeb desecrated the temple of Chintāman in Ahmadabad by killing a cow inside it and turning it into the mosque named *Quwat-ul-Islām* in 1644 (*Mir'āt-i-Ahmadi* p. 232). He also mentioned in a letter to Bidar Bakhat that he had destroyed the temple of Khande Rai at Sattat in Aurangabad district. *Kalimat-i-Tayyibāt*. Ms. 7 b.

2. To Āurangzeb, "he was a Muslim who followed the Hanafi law" with which he agreed and which his state recognised. The Shī'as, Ismā'ilis or Šūfis like Sarmad deserved the punishment of an infidel. Tavernier, II. p. 177.

and what was just begun by Shāh Jahān was completed and outdone by Āurangzeb.

To every student of Indian history, Āurangzeb's relations with the non-Muslims are too well known to need a detailed narration. He intended to organise the state in accordance with the Shari'at of Islām, and he did it without any regard for the people over whom he ruled. Religiously speaking, he felt that his empire existed for the protection of Islām, for propagation of his Faith, which must necessarily maintain a difference between Muslims and non-Muslims.

Personally Āurangzeb wanted to set an example to his subjects by living up to the ideals of a true Muslim as desired by the Sunnī 'Ulamā. In a letter to Shāh Jahān, Āurangzeb wrote, "Kingship means the protection of the realm and guardianship of the people.....A king is merely God's elected custodian and the trustee of his money for the benefit of his subjects" (Ādab-i-Ālamgiri). He never missed a prayer even when he was in the midst of a war¹. He observed penitential retirement for forty days every year. He took one meal a day in the latter part of his life and slept three hours in the night². He copied the Qur'ān as an act of merit and stitched caps to earn his living because as a guardian of the Faith, he could not like 'Umar, utilise any funds out of the Bait'u'l-Māl for his personal needs³. He never touched wine, and

1. In the Balkh expedition he offered Namāz even when he was in the thick of the fight. Saksena, op cit. p. 206. Sarkar, Aurangzib I, Chap. V.

2. Storia do Mogor, Vol. II, p. 332.

3. Al-Faruq, Vol. II, pp. 17. 236.

lived on the whole an abstemious life which is said to be one of the causes of his long life. So far as his duties to religion were concerned, he tried his best to preserve the traditional laws of Islām, to protect the Muslims, to propagate the Faith and to maintain the difference between his Muslim and non-Muslim subjects.

To preserve the official laws of Islām, he reorganised a department of the 'Ulamā and granted them their usual privileges except the right of interference in high politics. The theological department maintained its traditional structure through the continuance of dignitaries like Ṣadr-u'ṣ-Ṣudūr and Qādī-u'l-Qaḍāt.¹ The Fiqh was systematised the Fatawā-i-Ālamgirī. Muhtasibs were appointed to look after the morals of the people though their duty was ultimately resolved into that of a modern municipal magistrate. The first and most celebrated Muhtasib of Āurangzeb was Mullā Āuz Wajih, an inhabitant of Samarqand. The author of the Mir'āt-i-Aḥmadi said that he was even more strict than his master in putting down sinful practices.²

To protect the Muslim subjects, a department called Diwān-u'l-Maẓālim was introduced to enquire into their grievances. Grants were made to Makṭabs, Madrāsas and Mosques and to the learned men ;

1. Names of the Ṣadrs of Aurangzeb's empire have been mentioned already. See ante, p. 165. n. 1. The Qādī-u'l-Qaḍāt were :—'Abdu'l Waḥḥāb Bohra, 1683-85. Shaikh-u'l-Islām, 1676-83. Sayyid Abū Sa'id, 1685-85, Khwājah 'Abdu'llāh, 1685-98, Muḥammad Akram, 1689-1706, Mālik Ḥaidār 1706-07. (Collected from the Ma'āthir-u'l-Umarā).

2. Mir'āt-i-Aḥmadi, Bombay Text. pp 150, 156. Āuz Wajih enjoyed a Maṣnab of one thousand but no pay. Khāfi Khān, M.L. II. p. 80. Faruki, op. cit., p. 179.

Muslims were encouraged to think that the state belonged to them and in a contest between a Hindu and a Musalman, the Muslim Law had always preference. The judiciary was always a monopoly of the followers of the Faith.

So far as propagation of Islām was concerned, Āurangzeb took it up seriously as a part of his religious duty. In Islām there was no formal priest and preacher. Every Muslim was a potential missionary.¹

As has been said already, Shāh Jahān had started a department for making conversions under Shāh Mir Lāhorī and Muhibb 'Alī Sindhi.² Āurangzeb personally made conversions. Condemned prisoners on some occasions were set at liberty—the price paid being conversion. Every new convert was assured of the post of *Qanungo*. The convert was honoured with robes and cash, and sometimes he was paraded on elephant's back triumphantly. Discriminating regulations in trade and commerce, the imposition of the *Jezieh*, order for the release of Muslim wives by the unconverted Hindus and other disabilities brought about conversions amongst poor and low-class people. Arnold says that many Rājputs near Delhi changed their faith to avoid confiscation of their property in lieu of the *Jezieh*.³ Here is a list of important conversions made by Āurangzeb :—

1. Arnold, *Preaching of Islām* p. 409.

2. *Tabqāt-i-Shāh Jahāni*, 317 f.

3. Arnold, *Preaching of Islam*, p. 26. Cambridge History of India, IV p. 242. News-letters contain a large number of references to conversions. 'Alamgir-Nāmāh may be consulted for the names of the converted, pp. 567, 568, 648, 655, 1062. Text.

1. Son of Gokūl, the Jāt leader, was converted ; he became a Ḥafiz and was named Fāḍil.
2. Gokūl's daughter was converted and married to Shāh Qālī.
3. Ikhlās Keish, Waqī'ah Navīs of Sialkot was converted.
4. Brij Bhūkhan became Qiwāmu'd-Din Khān Dindār and was appointed keeper of a mosque.
5. Two sons of Bindāchal, brother of Rām Rāi, were converted. After their conversion, they were paraded on elephant's back.
6. The son of Chatar Sāl was converted.
7. Bahar Singh after his conversion was named Murīd Khān.
8. A daughter of Amar Singh, Rājā of Monoharpur, was converted and married to Prince Kām Baksh.
9. A daughter of Rājā of Apsas was converted and married to Prince Ā'zam.
10. Gopal Singh Chandāwat of Malwa received the post of a Fauzdār in Hyderabad after his conversion.
11. A daughter of Rājā Rām and a daughter of Shambhājī were converted and married to Shamsher Beg and Faqir Muḥammad respectively.
12. Rāizadā of Rajauri was converted and named Luṭfa'llāh.
13. Rājā Bishan Nārāin, a son of Rājā Shiv Nārāin of Kuch Behar, was converted and became a general of Āurangzeb.

His attempt to convert the son of Jaswant Singh, a faithful general of the Mughals was an

eloquent testimony to the motives that actuated Āurangzeb. A similar attempt was made to convert Shīvajī's grandson, Sāhū in 1703 A. D.

Not that Āurangzeb was intent on converting the Hindus only; he was keen on making India free from the 'Bāṭil Madhhabān' *i. e.* the Shī'as. It is told that Sayyid Quṭub-u'd-Dīn, a leader of the Shī'ah Bohras was killed with 700 followers under his orders.¹ He wanted to convert the Shī'as to Sunnism and refused Shī'as admittance into the court and stopped their chief festival the Nawrūz. Even Ruhū'llāh Khān, Āurangzeb's Pay-master General (1686-92), a son of Mumtāz's sister, could not openly declare himself in favour of Shī'ism and he had to make a secret testament to have his dead body buried according to Shī'ah rites.² Āurangzeb's prejudices against the Shī'as created a gulf between the Shī'ah and Sunni nobles of the court, resulting in a breach as wide as that between them in the Bahmani Kingdom in the 15th century. Even foreigners like Manucci and Bernier did not fail to notice the antagonism of the Shī'ah and Sunnī nobles which put the court machinery out of gear.³ Shī'ah-Sunnī marriages, which were so common in the earlier period, were looked upon with disfavour.⁴

1. Ma' āthir-u'l-Umarā, I. pt. II. p. 241.

2. Of Mumtāz's children only Sulṭān Suj'ah was a Shī'ah. Burnier *op. cit.* p. 7.

3. Mir'āt-i-Aḥmadī, Suppl. p. 110. Storia do Mogor, II. pp. 50-53. Bernier. pp. 146-53.

4. Aḥkam-i-Ḥamīdu'd-Dīn, Sarkar, Mughal Administration, Series II Ed. 1925 pp. 39-42.

Even Šāfis did not escape his persecuting hand. Sarmad, the famous Šāfi, was punished with death,¹ and it reminds one of the Mu'tazilite persecution in Mediaeval Arabia.

To maintain a distinction between the Muslim and non-Muslim, he introduced discriminating regulations in trade and commerce² and in appointment in the state-services.³ Henceforth charities on festive occasions went to the Muslims alone.⁴ The Hindus neither were allowed to build new places of worship, nor repair the old ones. The Hindus, except the Rājputs, were not allowed to use Pālki (palanquin). Mustaid Khān says that this regulation was restricted to the camp area.⁵ Hindu Pilgrims were taxed.⁶ Finally the Jeziah was reimposed with the following rules for collection :—

"Dhimmis must pay the Jeziah personally ; the money must be refused if sent through an agent ; the tax-payer should come on foot and make payment standing, while the payee should remain seated and that the receiver placing his hand above that of the Dhimmī, should take the money and shout, 'Oh Dhimmī, pay the Jeziah.'"⁷

1. M. U. 1. pp. 226-227.

2. Hindus had to pay 5 per cent. as customs duties and ultimately 10 per cent. Faruki, op. cit. p. 164.

3. Khāfi Khan, M. L. II. pp. 244-52.

4. Faruki, op. cit. p. 105.

5. Ibid, p. 176.

6. Mir'āt-i-Aḥmadī, 911 f. (a)

7. But the Prophet said, "They (Dhimmī) will not have to go to the collector to pay the Jeziah", Faruki, op. cit. p. 148. The *Basatin-i-Salāṭin* described the mode of payment of the Jeziah. "The infidel was asked to attend the office for paying the tax in person ; and the officer authorised to receive the payment, was required to accept the money sitting on the chair and the man paying be standing." 359-60 ff.

It is not known if the mode of payment as suggested above was actually followed in practice but the existence of the same in the statute book justifies us to assume that it was followed. There is a tendency amongst historians like Sadiq Ali and Zahiruddin Faruki to brush aside the stigma of the re-imposition of the Jeziah as a simple economic measure; but the way in which Aurangzeb tried to realise the Jeziah¹ was a sufficient indication of what was in the mind of the Aurangzeb. Sadiq Ali styled his book, *The vindication of Aurangzeb*. The title of the book illustrates the tendency of the writer, and he is a partisan. Faruki has quoted some minor instances in favour of Aurangzeb as a challenge to Sir Jadunath Sarkar's charges against him. In evaluating Aurangzeb, his work should be taken as a whole; an instance here and there in favour of, or against some Dhimmī or Mus'taman should not be regarded as an illustration of his whole policy. For personal reasons, he might have appointed, or dismissed a Hindu, or a Christian, during his long reign covering almost half a century over almost the whole of India, and he might have given permission to build a place of worship to a Christian, or to a

1. For a fuller description of the Jeziah, consult the Qur'ān, Chap VIII. IX, XV, Abū Yusūf, Kitāb-u'l-Kharāj pp. 69-72; Hitti, *History of the Arabs*, p. 218; Shibli's article, *Al-Jeziah* (Urdu, Nawal Kishore Press, Lucknow); Akbar Nāmah, II, pp. 203-04, Khafī Khān, M. L. II, pp. 207, 377-78; Mir'āt-i-Aḥmādī, I, pp. 296-98, 325; Zawābit-i-Ālmgīrī, Ms. 65 (b), 66 (a-b), 67 (a), and Basāṭin-i-Salaṭīn, 359-60 ff; Manucci, III, pp. 288-91; Sarkar, *Aurangzib* III, pp. 284-285. See post, appendix B, to Chapter V.

Hindu here or there, but such solitary and stray instances cannot be regarded as a criterion of his orthodoxy or liberality. They must be judged against the background of Aurangzeb's general policy. The questions at issue are :—What was the cumulative effect of the religious activities of the whole reign on the entire country? A tree is best known by the fruit it bears. What was the seed which Aurangzeb sowed in Hindustan and what were the fruits it bore? The revival of Arabic and too much attention to theology, patronage to mosque-learning, conversion of non-Muslims as a state-function, prohibition of building of temples,¹ and reimposition of the Jeziah were all signs of reversion from the liberal ideal of the Timūrids and relapse into the orthodox ideal of the 'Abbāsīd 'Ulamā. The Muslim in him failed to understand that times had changed, that circumstances were different and that new traditions were already in existence in Hindustan.

Any way, Aurangzeb was not altogether blind to the dark side of the orthodox Sunnīs. As already mentioned, he was so much disgusted with 'the department of justice' that instead of calling it so, he called it 'the department of oppression.' Bernier² says that he asked the Mullās if it

1. Possibly even in the days of Akbar and Jahāngīr government permission to build places of worship by non-Muslims was necessary in each and every case, for we hear of Akbar granting permission to build churches at Agra and Lahore, Jahāngīr granting permission to build the temple of Kesab Rāi at Mathura and of Gopināth, Madan-Mohan and Mahā-Prabhū at Brindaban and Shāh Jahān giving permission to restore the temple of Chintāman.

2. Bernier, *Travels*, p. 159.

were possible to offer prayer in his mother-tongue instead of that in Arabic. No doubt it could not be done under the fundamental conceptions of Islām though Imām Abū Ḥanifah suggested it ; but if Bernier's information be correct, Aurangzeb must be given credit for the boldness of his suggestion. He forbade the use of the *Kalimah* on the coins lest the sacred text should be defiled by the touch of the infidels. He was not unaware of the vices which had entered into the social life of the Muslims in India. From his letters, it can be gathered that he tried to stop gambling and drinking, disallowed congregation of ladies during anniversaries of saints, ordered the dancing-girls either to marry or leave the realm, forbade the burning of the *Sati*, prescribed the length of a man's garment and prohibited the use tight trousers by ladies. He repeatedly prohibited, as his predecessors did, the castration of children to be sold as eunuchs.¹ He discouraged pilgrimage to shrines and tombs as it smacked of idolatry. He forbade music at court because it loosened morals. He discontinued (1670 A. D.) the practice of salutation by raising hands up to the head and utter the words, "Ās-Sālām 'Ālāyḳum" which he interpreted as an idolatrous formality. He stopped the salutary institution of *Jharoka-i-Darsan* after the 11th year as it looked like anthropomorphism. He forbade the astrologers from drawing almanacs as it looked like star-worship, and discontinued the practice of weighing the Emperor on

1. Mir'āt-i-Aḥmadī, pp. 75, 276, Khāfī Khān, M. L. II. pp. 212-213, Storia do Mogor, II, pp. 8, 11 ; Bernier, op. cit. pp. 161-63.

his birthday. He took out the gold embroideries from the royal robes and *Khil'ats* because the use of gold was prohibited by the orthodox, and he stopped the ceremony of *tika* (marking of forehead) at the time of investiture of Hindu *Rājās* as he considered it an idolatrous custom. It is strange that he at the same time felt profound veneration for the alleged footprints of the Prophet brought from Makkah and sent supplicating letters to be placed at the foot of the tomb of the Prophet at Madinah. Indeed, Aurangzeb's was a complex personality¹.

So far as the later Mughals were concerned, taken as a whole, they were altogether unworthy descendants of their worthy ancestors. Struggles and wars for succession, weakness of character, insurrection of the provincial governors, growing strength of the Hindu powers like the Mahrattas, Jats and Sikhs made it impossible for them to think in terms of religion. Personally, they were Muslims no doubt, and most of them preserved the Sunnī structure of the state. During their rule the departments of the state were the same, the dignitaries were also the same but not the dignity. Bahādūr Shāh attempted to make a slight innovation in the mode of prayer by adding to his *Khaṭbah* the Shī'ah term *Waṣī* (executor to the will of the Prophet); it was strongly resented by the Sunnis. More than one hundred thousand people

1. We believe that Aurangzeb was not as orthodox as he posed to be. He had to continue the cry of "religion in danger" to maintain his political position. In the end, he steadfastly clung to his earlier professions as his physical powers and political position began to decline and there was no going back, for it was too late and he had gone too far. Compare Sarkar op, cit., III, p. 104.

came to offer armed resistance at the Shāhi Mosque of Lahore when the new form of prayer was to be recited. Bahādur Shāh was wise enough to drop the innovation¹. On the whole, he was a pious man and did not choose to pursue the policy of Āurangzeb.

Political pressure had made the weak successors of Bahādur Shāh forget their religious pretensions; political alliances were made on the consideration of mutual advantage as in the early days of the Mughal rule. Farrukhsiyar remitted the Jeziah though he was obliged to re-impose it soon after 1717 under the advice of 'Ināyatu'llāh. Again, in 1720, Muḥammad Shāh levied it, but could not continue it long owing to the pressure of Jai Singh of Āmber and Girdhar Bahādur 'whom it was impossible to offend'². Later on in 1723, Nizām-u'l-Mulk advised Muḥammad Shāh to re-impose the Jeziah, but he declined. After him the question of imposing the Jeziah was never seriously thought of.

1. Cambridge History of India, IV. p. 324.

2. Ibid. p. 346.

CHAPTER V

THE POSITION OF THE DHIMMIS

(Non-Muslim subjects of the Mughal Empire)

A Dhimmi is a member of the *Āhlu'dh-Dhimmah* (the Community of the Protected)—he is a non-Muslim who has not accepted Islām but has agreed to stay in a Muslim country. He enjoys security of person and property in the *Dār-u'l-Islām*; but he has to pay a price for that, called *Āl-Jeziah* in lieu of his protection¹. His status has been fixed partly by the Prophet, partly by the jurists and partly by precedents created by the rulers in different Muslim countries at different ages². All the Muslim rulers and theologians agree that a Dhimmi (in theory at least) has to fulfil all the conditions of the covenant (conscious or unconscious) between the conquered and the conquerors. If a Dhimmi remains within the limitations created for him by the law, he cannot be interfered with. The Prophet says, "If any one wrongs a man to whom a treaty has been granted, or burdens him above his strength, I am an advocate

1. Qur'ān, chap. IX. V, 29 :—"Until they pay the tribute (Jeziah) out of hand, and they be humbled. *Faqātīlū'ladhīna hattā yu'tū al-Jeziah 'ann yaddīn wa-humm ṣaghīrūn*. The word Jeziah is specially mentioned here.

2. Hamilton, *Hedayah* II. p. 49 :—"Leave alone non-Muslims and whatever they believe in." For an account of the economic position of the Dhimmis, see Abū Yūsuf, *Kitābu'l Kharāj*, pp. 73-75.

against him till the day of judgment."¹ Ābū Bakr, the first Khālifah said, "Don't kill any of the protected people, for if you do, God will require the protection of them from you and will cast you on your face in hell."² The attitude of Ābū Bakr towards non-Muslims is well-illustrated in the instructions which he gave to his commander, "When you enter that country, kill neither an old man, nor a little child, nor a woman. Don't pull or injure the monks, for they have let themselves apart to worship God. Do not cut down a tree, nor cut down a plant. Do not rip up any ox, or sheep. If a province, or people receive you, make an agreement with them and keep your promise. Let them be governed by their laws and established customs, and take tribute from them as is agreed between you. Leave them in their religion and their lands."³ Khālifah 'Umar, that romantic personality who has eclipsed every follower of Islām except the Prophet, commanded his general Ābū-'Ubaidah on the eve of his Syrian expedition in these words :

"Forbid the Muslims so that they may not

1. *Abū Yūsuf, Kitāb ul-Kharāj* p. 71. *Qāla Abū Yūsuf.....Faqaḍ ruwiya 'an Rasūli'l-lāhi...annahu qāla : Man ḡalama mu'āhidann aw Kallafahu fauqaṭaṭatihī fa'annū ḥḥj'juh.* For instructions of the Prophet to his generals, see Tirmidī, *Ḍiyat*, Bab. 14, 19.

2. *Kitāb-ul-Tabaqāt-ul-Kabīr*, Ibn-Sa'd, I. p. 137.

3. Anonymous Syrian Chronicle C. S. C. O. Series III, vols. 14, 15. It is said that 'Umar drove all Jews and Christians out of Arabia because it was a land of Islām and Islām alone. This statement is an exaggeration. It is true that the Jews and Christians were driven out of the Hejāz. But we know definitely that Dhimmīs lived in Madinah, Makkah, Khaibar, Yamen and Najran during 'Umar's time.

oppress the non-Muslims, nor commit any damage to their property without valid cause and fulfil all the terms and conditions which you have covenanted with them".¹ The treaty of Jarjan definitely guaranteed protection to the Dhimmis for their lives and religion and promised that no change would be made in the agreement in future.²

There are instances where Muslims were given equal status with non-Muslims. 'Ābdul'lāh ibn Sa'd ibn Ābi Sarḥ made a treaty with the Nubians, in which one of the contracting parties is called "the Muslims, non-Muslims and protected people." The Nubians bound themselves to protect the Muslims and Dhimmis trading in Nubia.³

There was a department for the protection of Dhimmis in Iraq, called Jihbazah. In Spain, it was called Diwān-u'l-Dhimmi.⁴

The legal status of a non-Muslim was sometimes recognised by the Muslims in the following matters :—

(a) A Dhimmi could be appointed an executor to the will of a Muslim.⁵

(b) A Dhimmi could be made Mutawāli (guardian) of Muslim endowments not connected with the actual practice of religion.⁶

1. The Prophet said, "Whosoever kills a Dhimmi will not smell the scent of paradise, and its scent spreads a journey for seventy years." (*Book of Governors and Judges*, Kindi, pp. 351, 390).

2. W. Ṭabāri, *Annals*, p. 65.

3. Maqrizi, *Khita't*, vol. I. p. 200.

4. W. Hosain, *Administration of Justice in Muslim India*, p. 155. He compared the position of the heretics in Europe during the time of the Religious Wars of the 16th & 17th centuries with those in India.

5. Baillie, *A Digest of Moohummudan Law*, pp. 175-76. F. A. vol. VI. pp. 141-206.

6. Ameer Ali, *Muhammadian Law*, vol. I. p. 351.

(c) He might be made an arbitrator to settle disputes.¹

(d) He might be appointed superintendent of Muslim education.²

"Ā Dhimmī may lend money at interest to another, or contract a marriage not recognised by Muslim law and no one can interfere", says Imām Shāfi'ī. 'Umar II allowed bequests to the Christian church for which the technical term *Waqf* was used. Ābū-'Ubaidah promised not to interfere with the (non-Muslim) festivals at Damascus; the Christians were allowed to beat the *Nākūs* (peculiar musical instrument used by Christians in Semitic lands) at all hours of the day and night.³

The catholicity of the early Muslims may be read in the action of Mu'āwiyah when he prayed at Golgotha and then went to Gethsemane and prayed at the tomb of Mary. Āmīr 'Ābdū'l 'Āziz of Spain lived with his wife in a Christian church in Seville.⁴

On the other hand, there are instances when non-Muslim subjects were denied ordinary civic rights by the Khālīfas. Ās for instance, Khālīfah 'Umar II ordered that the testimony of a Dhimmī to what concerned a Muslim was not to be accepted.⁵ Imām Mālik did not favour any partnership between a Muslim and a non-Muslim in business.⁶ If ever compelled to do, the transaction must be in the

1. Ameer Ali, *Spirit of Islam*, p. 249.

2. Ibid, p. 249.

3. Tritton, *The Caliphs and their non-Muslim Subjects*, pp. 102-3.

4. Maqrīzī, op. cit. vol. I. p. 178.

5. *Al-Mudawwanat-ul Kubra* 4. 81.

6. Ibid, 4. 38

presence of the Muslim partner. 'Umar I who instituted tax on trade held that rates for a Muslim should be $2\frac{1}{2}$ p. c., for a Dhimmī 5%¹

The blood money for murder of a non-Muslim male was half of the usual according to Imān Aḥmad-bin Ḥanbal.²

If a Dhimmī after accepting Islām reverts to his old faith, he must be killed.³

'Umar II wrote to his governors not to employ any non-Muslim with authority over Muslims.⁴ Āl-Mutawakkil ordered that non-Muslims must not be in government service.⁵ He also forbade non-Muslims from teaching the Qar'ān.⁶

Imām Shāfi'ī in his Kitāb-u'l-Umm said that churches might not be built where Muslims lived, though he did not object to building of places of worships where there are no Muslims.⁷ Āl-Mutawakkil ordered that all new churches should be destroyed.⁸

The same Khalifah actually forbade demonstrations of the Christian relics of religion in public streets. He ordered that all the graves of the Christians should be levelled to the ground and that all the sites of graves should bear 'wooden devils', so that they might be distinguished.⁹ Again

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1. Maqrizī, *Khīṭaṭ*, 2, 121.
 2. *Raḥmat-u'l-Umm* 2, 126.
 3. Ash-'Sha'rānī, *Kitāb-u'l-Mizān*, 2, 131.
 4. Abū Yūsuf. op. cit. p. 60.
 5. Maqrizī, *Khīṭaṭ* 2, 494.
 6. Ibid.
 7. *Kitāb-u'l-Umm*. 4, 126.
 8. Aṭ-Ṭabari. *Annals*, III. 1419.
 9. Ibid. III, p. 1389.

in Syria the Muslims recognised some of the Christian feasts and divided the year according to their calendar¹. In Shiraz, markets were decorated for feasts of the Dhimmīs. In Bukhara, idols were publicly sold in large numbers.² Christian churches were used for public proclamations by Muslims officers. The Khalifah Āl-Mā'mūn used to hold Palm Sunday as a public holiday.

There are many instances of Muslims during the period of the first four Khalifas (Khulāfa-i-Rashidīn) requisitioning and utilising the services of the Greeks, Romans, Jews and Christians in the departments of medicine, finance, army, architecture and library-management.³ Non-Muslim birth did not prevent the appointment of a convert to the post of Qāḍī. Ḥasan b. 'Abdu'llah b. Āl-Marzuban aṣ-Ṣairafi was appointed a Qāḍī after his conversion though he was the son of a Magian.⁴

Whatever strict laws of the Muslim theologians might ordain, the Khalifas were sometimes better than their laws. The interpretation of the injunctions and laws and their actual application depended upon

1. Geography of Muqaddisī, p. 182. New Year's Day, Jan. 1, was observed as sacred in Syria, Antioch & Egypt (Masu'dī, vol. III, p. 406).

2. Barthold, *Turkestan down to the Mongol Invasion* (tr. by Z. Suhrawardy, Calcutta University) p. 107.

3. Khuda Buksh, *Contributions to Islamic Civilisation*, II, pp. 284-886. Mu'āwiyah welcomed a reputed Christian physician Ibn Uthāl who was a famous translator of medical treatises. (Muhammad Ali, *Early Caliphate*, pp. 183-85; Sherwani, *Early Muslim Political Thought and Administration*, p. 11).

4. Abū'l-Muhāsīn. vol. II. p. 23.

the attitude of the individual Khalifas of Islām towards a particular incident.

Now the question is, how did a Dhimmi lose his right of protection? The Mālikī, Shāfi'ī and Ḥanbalī schools of Law¹ hold that failure to pay the Jeziah deprived him of protection. Ābū'l Qāsim held that *eight deeds* made a Dhimmi lose his right to protection,—(a) fornication with a Muslim woman, (b) attempt to marry a Muslim woman, (c) attempt to divert a Muslim from religion, (d) robbing a Muslim on the high-way, (e) acting as a spy to an unbeliever, (f) sending any information or acting as his guide, (g) killing a Muslim, (h) fighting a Muslim. The Ḥanbalī and Mālikī schools further opined that blasphemy of the Prophet was a serious offence and deprived one of one's status as a Dhimmi. Imām Ābū Ḥanīfah said that a Muslim need not be too severe with a Dhimmi who had insulted the Prophet.² Imām Shāfi'ī said that a Dhimmi, who had insulted the Prophet and repented of his act, might be pardoned.

Baillie, following the Fatāwā-i-Ālmgīrī, elaborately summarises the position of a non-Muslim in Muslim land thus:—"Dhimmis or infidel subjects of the Musalman power do not subject themselves to the

1. There are four branches of law in Islām t—(a) Mālikī (b) Shāfi'ī, (c) Ḥanbalī, (d) Ḥanāfi. Of these the Ḥanāfi Law is the most popular amongst the Sunnis and the Mālikī Law amongst the Shi'as. The majority of the Indians belong to the Ḥanāfi Law, the Shāfi'ī Law prevails among the Mopals in South India, and the Shi'as generally follow the Imāmi religious code.

2. There is an interesting discussion in Badā'unī's *Muntakhūb* regarding the trial of a Mathura Brahmin who had reviled the Prophet. See Bad, Text. Vol. III, pp. 127-28.

laws of Islām, either with respect to things which are merely of a religious nature such as fasting and prayer, or with respect to such temporal acts as though contrary to the Muhammadan religion, may be legal by their own, such as sale of wine or swine's flesh, because we have been commanded to leave them at liberty in all things which may be deemed to be proper according to the precepts of their own faith."¹

A question has been raised by Titus whether Hindus are Dhimmīs at all, and if the laws relating to Dhimmīs are applicable to the Hindu subjects of the Muslim in India.² Titus observes, "The status of of Dhimmis may be offered only to those who have a scripture (Āhlū'l-Kitāb). They are understood to be Jews, Christians, Magians and Sabeans. In the case of pagans, idolators, polytheists, who are not regarded as Āhlū'l-Kitāb and who have no scriptures, it is held that for them there is choice only between Islām and death."³ We may quote by way of reply the words of the Qur'ān :—"I have brought faith in God, in angels, in books and in Prophets", "there is not a village but a warner has gone amongst them" and "there has been sent a guide to every nation."⁴ Ādam, the first Prophet of God, is reputed to have been sent to Sarandwip (Ceylon). The words of Āli are "Sweet

1. Baillie, op. cit. p. 174. Compare Ibn 'Asakir, *At-Tārīkh*, vol. I. p. 179 and Aḡ-Ṭabari's *Annals*, vol. i. p. 2665, ed. De Goeje, Brill, 1884.

2. Titus, *Indian Islam*, p. 18.

3. *Ibid*, pp. 18-19.

4. Qur'ān. *Amn'fo billāhi wa Mala'ikatihi wa Kutūbhi wa Rasūlihi*.
In min qaratin illā khālā fihā be nadhir.

is the breeze that comes from the land of Hind."¹ So, it is clear from the above that Hind is a country which was known to the early Ārabs, where Prophet and Books were held to have been sent. Evidently then, the references to the four peoples who received the Scriptures are illustrative and not exhaustive. The Hindus, for all practical purposes, were regarded as Dhimmis, and even Āurangzeb treated them as such. About the first Muslim conqueror, Muḥammad ibn Qāsim, Āl-Balādhurī says, "Every one who bowed down his head and sued for protection was released." Āl-Walīd ibn Ābdu'l Mālīk admitted the Hindus to the privileges of the Dhimmīs.² Āurangzeb in his official jurisprudence, the *Fatāwā-i-Ālmgīrī*, recognised the legal status of the Hindus in a Muslim state³. So, from the time of Muḥammad Ibn Qāsim to that of Āurangzeb the Hindus were treated as Dhimmīs. We can take the above facts

1. *Aṭ-ṭaibo rihrān-ul-Hind*. So, said 'Alī.

2. Āl-Balādhurī, op. cit. p. 440. Azad Bilgrami in his *Sibhat-ul-Marjan* and *Ghaslan-ul-Hind* has advanced similar arguments in the eighteenth century.

3. F. A. vol. VI. pp. 141-206. "Dhimmis do not subject themselves to the laws of Islam." To the contention of Titus, an answer has been anticipated by Mirzā Mazhar Janjān as early as 1717 A.D. The great Sūfī saint writes :—"It appears from the study of the scriptures that Allah the merciful sent a Divine Book known as the Vedas in the beginning of creation. It is divided into four parts. In it there are instructions, orders and prohibitions for the action of mankind herein and hereafter. Hindus do believe that God is one. He has created the world. The world will be destroyed. Men will get reward for their good actions and punishment for bad ones. This cannot be denied that the Hindu religion was a good religion." (Quoted from the paper "*Sūfī Dārā Shukoh*" by Reza-ul-Karim in A. B. Patrika, dated 16. 10. 40). According to this view, the Hindus are "receivers of Revealed Books."

to disprove the contention of Titus that the Hindus could not claim the status of the Dhimmīs.

Let us examine how far these principles and practices were applied to Indians during the Saltanat period. We begin with the Arab conquest of Muḥammad ibn-ʿa'l-Qāsim. The political organisation which he built up, died within forty years of his conquest, though some subsequent effects were noticeable in the land. He demolished temples, built mosques, made conversions and imposed the Jeziah. But, when he sent information of these activities to his master, he was reprimanded and was told, "It was not the usage of the Law." He was, therefore, asked "to repair the damages done in the land of the conquered." Though, politically the conquest was forgotten soon afterwards, the exemption from the Jeziah, the appointment of a Dhimmī as governor on behalf of the conquering Muslims and the keeping of accounts in the language of the conquered¹ created in Sind precedents for defining the status of Hindu subjects in the Indian Muslim state. Passing to Maḥmūd of Ghazna, we find that one of his generals was a Hindu and many of his archers were Hindus. His governor at Lahore was a Hindu; his great court-scholar, ʿAl Beruni, was a *Pandit* in the language of the Dhimmīs. We do not wish to say that Maḥmūd bore any love for the Hindus—he had 'served God by killing the infidels' and 'by turning the land

1. See, *Chach Nāmāh* in Elliot and Dowson, op. cit. vol. I. p. 186. Brahmins were appointed to collect the Jeziah. See S. M. Jafar's article in the *Islamic Culture*, 1944.

of the idol-worshippers into the land of the believers ;¹ but in the face of political necessity, religious considerations were overlooked by him. India was a vast country ; her people had an ancient heritage and age-long traditions to look back upon ; her religion was so ingrained in her children that a sudden change of the entire outlook was not possible. Further, the Turko-Afghāns themselves were converts, and with the change of their religion they did not change their own social system and tribal traditions. Naturally, in the lands they conquered, religion, more often than not, was utilised as a political expediency¹. Therefore, we find in Indian administration of the Turko-Afghān period, peculiar mixtures, settings and growths not strictly sanctioned by the Qur'ān and traditional usages. In almost all countries which the Arabs conquered, the conquests were almost always wholesale ; such was the case with Persia, Egypt, Tripoli, Algeria and Morocco. The Arab conquerors in their zeal for thoroughness brought traditions, customs and usages of their own country to bear upon the administration and government of the conquered people, whereas India having been conquered by converts, there always remained gaps. These gaps may be measured in terms of comparison between an Iranian Muslim converted by the Arabs in the 7th century and a Hindustani Muslim converted by 'Alāu'd-Dīn Khaljī in the 13th century. Further, the problems of an Arab conqueror in Iran or Syria or Yaman were not always same as those of a Turko-Afghān

1. Titus, *op. cit.*, pp. 11-12.

conqueror in Hindustan. The vast size of the land of Hindustan, the difficulties of communication, the stern obstinancy of the conquered, lack of administrative experience of the conquerors, the small number of the invaders together with the paucity of women followers with them, and above all, the softening influence of the Ṣūfī teachers of the period, forced them to make new experiments and assimilations in this country. The laws of the Qur'ān, the traditions of the Ḥadīth, the decisions of Fiqh and the precedents of the Khalīfas could not always be applied to every transaction with the Indian Dhimmīs. The laws relating to the Dhimmīs were capable of being applied to those lands only where the number of Dhimmīs was comparatively small. But, in a country where the number of Dhimmīs far exceeded that of "the believers", a strict application of those laws would create so many administrative problems that it would threaten a collapse of the whole administrative machinery. The impossibility of ruling Hindustan on rigid orthodox principles is proved by Jalālu'd-Dīn Khaljī's regrets during his conversation with Aḥmad Chāp who always accused his master of his 'slack rule'. Jalālu'd-Dīn replied, "Every day Hindus, who are the deadliest enemies of Islām, pass by my place beating drums and trumpets and go out to the Jamuna and practise idolatry openly.....and we call ourselves Muslims!" "Shame be on us", the same monarch continued, "on our Pādshāhī and on our championship and protection of our religion that we allow our name to be read every Friday from the pulpit and the enemies of God and of the religion of the

Prophet to pass their lives in a thousand comforts, enjoy wealth and other blessings and live honourably amongst Muslims with all pride and glory and practices of *Kufr* and *Shirk* in our capital under our rule and before our eyes. May dust fall on our heads and on our Pādshāhī !¹ Therefore, whether they liked it or not, consciously or unconsciously, the Muslims had to transcend the narrow conception of a tribal or communal polity and build up their system on a wider synthesis of cultures, religions and peoples. Thus a new theory of citizenship developed which was based upon the acceptance of common secular loyalties of different races and civilisations as an adequate bond in their state-system.

An important factor was that with the establishment of the Turko-Afghān rule, the glamour of the Khilāfat faded away. Quarrels for successions to the Khilāfat and the establishment of independent Muslim states owing but little or no allegiance to the Khalīfah as the central authority for the Islāmic peoples, were advantageous to the development of new political theories and traditions in India. However, the structure of orthodox Islām was sought to be maintained by a theological class called Mullās² rooted to the Revelations, Traditions,

1. Dīāu'd-Dīn Barnī, *Tārīkh-i Firūz-Shāhī*, pp. 70-79. Bib. Indica edition.

2. In Islām there is no official priestly class, but due to the stress given to the Qur'ān and Ḥadīth as Laws governing the actions of the "believers" in all stages of life, a group of scholars grew up claiming the right to explain the Revelations, Traditions, Decisions and Injunctions. This theological class looks upon itself as the priestly order of Islām, though theologically they have no ground to stand upon.

Decisions and Injunctions of the past. By the time of 'Alāu'd-Dīn Khaljī, these scholars were practically a separate class in India who claimed to have a decisive say in the matter of administration.¹ However, by the time these Mullās could hope to influence politics, the work had been done, the synthesis was complete and the status of Dhimmīs had been more or less defined. Under 'the Slave' oligarchy, the position of the Hindus was one of forced sufferance; the utilitarian experiments of 'Alāu'd-Dīn could not afford to leave the Dhimmīs absolutely outside the pale of his administration. 'Alāu'd-Dīn for the first time connected the Khaljīs with a Hindu royal house by marrying himself and his son to Hindu princesses. The radical experiments of Muḥammad Tughluq in many places, were applied as much to the Muslims as to the non-Muslims. The legal reforms of Firūz definitely formulated common judicial patterns throughout his empire. Under the tribal monarchy of the Lodīs, the political trend went hand in hand with cultural assimilation of the conquerors by the conquered, as is proved by the appearance of Muslim Ṣūfis and Hindu saints, and this was not an accident. The positive contributions of the Turko-Afghān Government in India were that the Hindu ethics of royalty, the Hindu metaphysics of religious belief and the Hindu psychology of social institutions gave a freshness to the experiments of the children of the mountain steppes, and they were embodied in the

1. See Maghisu'd-Dīn Ā'in-ul-Mulk's conversations with 'Alāu'd-Dīn, in E & D, vol. II. p. 393 re. the position of Bait-u'l-Māl.

administrative theory of this and subsequent periods of Indian history.¹

In the South the Turko-Afghān conquests were spasmodic; 'Ālāu'd-Din penetrated into the South, but, his conquests were mere raids and carnage inspired more by motives of plunder than by those of religion, and he anticipated the methods of Timūr who came one hundred and fifty years after. 'Ālāu'd-Din kept a Muslim garrison at each important strategical centre of the land and his administration was typical of him, a man without refinement, without education, without tradition, but endowed with a sturdy common sense, keen sagacity and uncommon military capacity. Muḥammad Tughluq was the first ruler of the Salṭanat period who wanted to develop a system of government with a capital in the South (Daulatabad). But he had to pay the penalty of standing against the theologians, who had, by then, established themselves as strong factors in the administration of the state.² During the weak days of the later Tughluq period, the Deccan became the laboratory of a neo-Islāmic state, called the Baḥamani Kingdom. Inter-marriage with the Dhimmis, their recruitment into the army, adoption of the Dhimmi royal paraphernalia, the placing of the revenue department under them, and the handing over the local administration entirely to the inhabi-

1. This assimilative tendency has been discussed in detail in my work, *Din-i-Ilahi*, pp. 9-21.

2. The point has been discussed by Akbar Shāh Najibabadi in his Urdu History, '*Ayna-i-Ḥaqiqat* Namah, pp. 21-23. Dr. M. Hasan's *Rise and Fall of Muḥammad Tughluq* (though an incomplete biography) may be read in this connection.

tants, produced a fusion of the two cultures. In the absence of a uniformly well-organised government and also due to geographical difficulties, the question of observing the orthodox laws in the administration of Dār-u'l-Islām in southern India could not arise. The religious objective in the politics of the Deccan was bound to recede to the background in view of the peculiar circumstances of India, specially in the South.

By the time the Mughals came to India, precedents had been created, standards set and ideals preached. The Chaghtā'ī Turks were converts like their predecessors, the Turko-Afghāns, but with a more ancient heritage, with a higher culture and better traditions. They had already changed their religion more than once,¹ they had mixed up their blood on many occasions; they had already conquered nearly half of the known world; indeed they belonged to a race of conquerors. In their administration of the conquered territories, they had already made provision for the conquered and created common civic ideals based on political considerations.² When Bābur came, he urged upon his soldiers that he was fighting a religious war, and he offered them "glory in this world and peace in the next" through becoming either Ghāzis or Shahīds and the effect was electric.³ Like some of his predecessors, who

1. *Encyclopaedia of Religion, and Ethics*, see Mongols.

2. *Islamic Culture*, 1934, p. 595.

3. Sirah of Ibn Hisham, p. 992 quoted an instruction of the Prophet to 'Abdu'r Raḥman ibn 'Auf:—"Oh son of 'Auf, take it, fight ye all in the path of Allāh and combat those who do not believe in Allāh." Similar exhortations in the name of Allāh, before a war, are very common with the soldiers of Islām.

invaded India, he was not blind to the political side of the question. He took advantage of the susceptible psychology of his followers for reasons political, just like a dramatist. But, in the actual working out of the administration of Hindustan, Bābur belied the expectations of the theologians. He transferred his capital from Kabul in the land of the Muslims to Delhi in the land of the 'Kafirs,' and he did not attempt any conversion or any increase of the Jeziah.

Were the Arab principles adopted by the Muslim governments in relation to the Dhimmīs followed in India by the Mughals? It was a fashion with the Turko-Afghāns to issue proclamations on the eve of an invasion when inflammatory speeches were made to the Muslim followers, and in those speeches God, the Prophet, the Qur'ān, Heaven, Hell, Curses and Rewards were introduced to excite the susceptible sentiments of the unsophisticated followers. But, the moment they conquered the country and settled down to administration, they found the necessity of making a change in their administrative policy in the light of expediency. So, mere political or diplomatic orations before an expedition should not be treated as the only factor illustrating the psychology of the conquerors. Now, let us examine the exact position of the Dhimmīs in Mughal India under the following heads :—

- (i) *right to personal security and freedom from personal violence ;*
- (ii) *freedom of religious worship ;*
- (iii) *position in the public service ;*
- (iv) *cultural associations.*

I. Right to personal security and freedom from personal violence.

It goes without saying that the Dhimmīs who submitted to the rule of the Muslim Chaghtāi Turks were allowed to live in the country with all that 'Āman' (Peace of the State) meant. It is significant that Bābur conquered Hindustan from a Muslim Sultān, Ibrāhim Lodī, with the passive help of a non-Muslim, Rānā Sangrām Singh of Chitor. So, the question of applying the laws and traditions of the Ārabs regarding the Dhimmīs did not influence his dealings with the Hindus. The enemies of the Chaghtāi's were the Lodī Āfghāns. The Ārabs had not to conquer a Muslim country *en masse*, so no exhaustive precedents were created by the Ārab conquerors in relation to the conquered Muslims. If anywhere they had to deal with the Muslims along with the non-Muslim conquered subjects, they included all the people in one category.¹ In their struggle for political existence, services and alliances of the non-Muslims were invaluable to the Mughals. Bābur conquered Hindustan with Rājput help though it was more passive than active; pursued by Sher Shāh, Humāyūn saved himself and his wife Hamīdah Bānū through the grace of the Hindu Rānā, Birsāl of Āmarkot; Ākbar escaped the high-handedness of Bairām and the conspiracy of

1. Maqrīzī, *Khit'at*, I. 200. This point may further be studied under the following subdivisions :—(1) Muslim subjects in a non-Muslim state such as a Muslim subject of Shivājī in relation to the Mughal empire at Delhi. (2) Muslim subjects of a different Muslim state such as the subjects of Bijapur and Golconda in relation to Delhi.

Maham Ānagah through the help of the house of Jodhpur. In the creation, extension, preservation and consolidation of the Timūrīd Empire of Ākbar, the services of the Rājputs was more than invaluable. So, the question of the right of the non-Muslims to stay in the Dār-u'l-Islām did not arise in Mughal India. The early Mughals were conscious that the antagonism of the Hindus, specially that of the Rājputs, was often responsible for constant strife in pre-Mughal India with all its attendant evils. During the formative period of the Mughal Empire in India, the usual disability attached to the position of a Dhimmī was confined to the payment of the Jeziah generally.

So far as freedom from personal violence was concerned, the Prophet said, "Whosoever kills a Dhimmī will not scent of paradise—its scent spreads a journey for seventy years," and again, "the blood of a Dhimmī is the blood of a Muslim," though 'Alī said, "A Muslim must not be killed for murder of a non-believer."¹ But in actual practice, freedom from personal violence in an age of chivalry and war depended more or less on one's own power to protect ones'self. In the village, the *chowkidar* was a servant of the village and was not directly connected with the government, while the *Panchayet* was responsible for the maintenance of peace. The caste organisation in India was so

1. Kindi, *Book of Governors and Judges*, pp. 351, 390.

Qāla : illā man qatala nafsann mu'āhidatann.....lahū dhimmatu'llāhi wa rasūlihī faqad. akhfā bi dhimmatu'llāhi fatā yarihu rā'ihata'l jannti, wa inna rīḥahā latūjadu min masīrati Sab'ina ʿarṭann, *Bab, Diyat*. p. 128.

compact that almost all cases of delinquency came within the scope of the caste-Panchāyet whose decisions in social matters were final. Cases of personal injuries were decided by the leaders of the caste. In litigations where influential people were involved, matters might be taken to the Qāḍīs or Kotwāls.¹ Ordinarily, the payment of royal demands through *Patwari*, *Amin*, *Qanungo* or *Karori* was the only connection between the subjects and their rulers. The Turko-Afghān system was not interfered with by the Mughals at the outset. The judiciary of the Turko-Mughals was based on the model of Arabia, and the structure of their courts and the nomenclature of the officers were planned on the Arabic style.² In both civil and criminal matters, the Muslim law in general was applied to the Muslims as well as to the Hindus except in cases of inheritance, marriage, Satī and Devadāsī. The tradition of murdering an infidel, because he was a non-believer, as was done by some over-zealous Muslim rulers in some other Muslim countries, could not often be repeated in Mughal India.

The legal position of the Dhimmīs during the early Mughal period was not a problem, because the one's right of existence depended on the capacity of one's wielding a sword. The Hindus were "left alone and whatever they believed in" except in cases where Islām was directly concerned. When, through the efforts of

1. Sir Jadunath Śarkar says that Qāḍīs were appointed only in big cities. But this statement has been challenged by W. Husain in his *Administration of Justice under Muslim Rule in India*, p. 64. Prof. P. Saran also in his *Provincial Government of the Mughals*, p. 356, has refuted Sir Jadunath's view.

2. Ibn Hasan, *op cit.* p. 304.

Ākbar, the Mughal empire was established firmly by 1570 A.D. the Mullās wanted to assert their rights of giving decision in the secular affairs of the State. But the Muslims at that time were so divided amongst themselves, there were so many schools of theologians, and the Mahdī movement had created so much flutter in the orthodox circles that the Mullās had no time to look very critically into the affairs concerning the Dhimmīs. A review of the position of the orthodox class in relation to the state has been very elaborately discussed elsewhere.¹

Already Sher Shāh had given a new orientation to the Islāmic rule in India by guaranteeing the peace of the state to every citizen irrespective of caste, creed and colour, and he had recognised the position of the Dhimmis as wards of the state. During the reign of Sher Shāh the criterion of state-protection was loyalty to the throne and not loyalty to the religion alone. In fact, allegiance to the king and not to religion was the guarantee for protection. Of course, capital sentence for apostasy concerned the Muslims only because a believer who had apostatised was a greater sinner than one who did not believe at all.² Further, Ākbar had already contracted marriage with the Dhimmis and the fathers-in-law, brothers-in-law and their relatives were the Manṣabdārs of high rank and

1. Proceedings of the Allahabad Session of the Indian History Congress in 1936. Bada'ūni, II, p. 198 says it was a custom to search for heretics and kill them. *Ke dar zamān girifatān ahl-i-vid'at wa qatl-i-insān misl-i-mir Habshī o ghair-i-insān*. Ash-Sa'rani, *Kitāb-ul-Misān* 2. 131, insisted on death of an apostate.

2. The school of Bada'ūnī held such views openly and supported the murder of Shī'as and heretics. See, *The Din-i-Ilahi*, p. 271.

sometime governors of important provinces. So the question of depriving the Hindus of the right of freedom from personal violence did not arise. The marriage of the Chaghtā'is and Rājputs officially, willingly or unwillingly,¹ brought in new social forms and standards which were of supreme importance in determining the status of 'the infidels' in the Mughal empire. There were, of course, instances of royal wrath during the Mughal times when the personal equation got the better of the rule of law. Jahāngir became so furious at the refusal of Rājā Dalpat Rāi to surrender his Muslim wife that he was unceremoniously put to death and his body was dismembered.² Two *Kahars* (palanquin-bearers) had their feet cut off because they obstructed a royal hunt at a time when Jahāngir was taking an aim.³ Once Jahāngir killed eight dancing girls summarily because they failed to appear at the appointed time. These instances prove that the religion was not always the deciding factor in the dispensation of justice.

Shāhjahān inherited from his father and grandfather a high sense of justice and spent 4½ hours every day in dispensing justice, as 'Abdu'l Ḥamid Lāhorī says, irrespective of caste and creed. At the *Jharokha-i-Darshan* usually, justice was dispensed in the presence of the 'Ulamā, Mufti and Mutāsaddīyān-i-'adālat (officers of the court of justice). A very interesting case of litigation has been mentioned

1. Hindu marriages in the earlier period of Muslim rule were almost always under compulsion. So the social benefits arising out of such unions were much less than they would have been otherwise.

2. Lāhorī, Vol. I. pt. II, p. 57.

3. Tūzuk, tr. Vol. I. p. 164.

by Manrique in which a Muslim was accused of killing domestic peacock belonging to a Hindu. The Muslim pleaded that he could not be accused of killing an animal which was sanctioned by Islām. But the Shiqdār-in-charge retorted, "the Emperor who conquered these lands from heathens had given his word that he and his successors would let them live under their own laws and customs ; he, therefore, allowed no breach of them."¹ This spirit of liberalism in a subordinate officer in the matter of personal rights of the non-Muslim subjects must have radiated from the centre. The right of existence of the non-Muslims in the land of the Muslims in India was sanctioned by usage and necessity not by the individual caprice of, or concession by a particular monarch.

Often the king tried civil and criminal cases both as a court of first instance and as an appellate court. An interesting case of contract between two Hindus of *Baqqal* caste was decided by the king personally.² Ibn Hasan and Bashiruddin have mentioned several instances of litigations in which both parties were Hindus and some in which one party was a Hindu and the other a Muslim. When Mughal princes or nobles were found guilty, they were generally handed over to noblemen for dealing with them.³ Mirzā Kaiqobād, son of Mirzā Ḥakīm, Akbar's half-brother, was handed over to Jagannāth for punishment.⁴ Prince Khusrau was kept in charge of Āni Rāi and then of

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1. Manrique, op. cit. II, pp. 108-114.
 2. Ibn Hasan, op. cit. pp. 322-23.
 3. Bernier, *Travels*, pp. 106-107.
 4. A. N III, p. 528. Tr.

Āṣaf Khān.¹ The nobility was looked upon as a class not as Hindus or Muslims. Distinction between men of different communities was not always perceptible in the court of law.

Āurangzeb, too, was not unconscious of his duties as the supreme head of the judiciary.² He, too, maintained the form of justice even in cases when the worst enemies were concerned as was found in the trial of Dārā and Murād. He administered justice like his predecessors and acted both as a court of first instance and as a court of appeal. During his royal tours, he often enquired into the grievance of common folk. Ibn Hasan quoted an instance when even men from lower classes were allowed to present their grievance before Āurangzeb. In fact, he made no distinction between Muslims and non-Muslims in the matters of non-religious nature.³

II. Freedom of Religious Worship.

One of the political functions of a Muslim State is 'protection of the Dhimmis'.⁴ This 'protection', in the liberal sense of the term, includes freedom of religious observances as enjoined by the Qur'ān. If this were to be given effect to, the Dhimmis should be allowed the right to worship in their own way, to build their places of worship and to visit their holy places and festivals and fairs. In India, the observance of Hindu religious practices in the popular manner consists in the

1. Roe. op. cit. pp. 23.

2. Faruki, op. cit. pp. 100, 419.

3. Ibid, op. cit. p. 433.

4. See ante. p. 137.

worship of plural gods which, in Islām, amounts to idol-worship, in other words, commision of *Kufr* and *Shirk*. The carrying in of idols in processions¹ and exhibition of deities are strictly prohibited in Islām, but with the Hindus, it is a part of their religious practices. We shall now proceed to describe the attitude of the Mughal emperors towards the profane religious practices.

In the Salṭanat period, the Hindus were allowed to offer worship to their gods, to take baths in the sacred rivers and to carry images in procession, but only by sufferance. As has been already mentioned, Tāriḫ-i Firūz Shāhi quotes a speech expressing the sincere regret of Jalālu'd-Dīn Khālījī at the sight of the Hindus going to bathe in the Jamuna. The Hindus continued their age-long forms of worship sometimes contending against opposition, sometimes unnoticed, often making compromises at the chief centres of governmental influence by purchasing concessions on payment of the Jeziah and other financial contributions.

Bābur found in India Hindu temples, religious fairs, the Jeziah and pilgrim-tax. He had declared his love for Islām on the eve of the battle of Khanwah by renouncing wine and declaring a Jihād. He did not hesitate to prove his the faith in Islām by allowing the conversion of a Hindu temple at Sambal into a mosque,² as well as the destruction of a temple at Chanderi through Shaikh Zain, his Ṣadr,³ and of another

1. See ante.

2. Annual Report of the Archaeological Survey of India, Vol. XII, pp. 27-28.

3. *Tūzūk-i-Bābur*, 145 f.

temple at Ayodhya through Mir Bāqī.¹ It seems that there was a dual personality amongst the Timūrids. Consistency was hardly a virtue with them ; often expediency was a great factor in the direction of their politics, religion and administration.

Humāyūn was essentially a mystic, and during his rule, there is not any instance of destruction of a temple or interference with the worship of the Dhimmīs. So far as religion was concerned, his reign did not mark any perceptible departure from the traditional line either for better or for worse.

The reign of Akbar at the beginning tolerated desecration of temples at Kangra in 1572 in which the umbrella of the goddess was riddled with arrows.² A temple at Benares was converted into a *Maktab*.³ Jain idols were destroyed by a Mughal governor in Gujarat against Akbar's orders.⁴

Akbar, during his stay at Mathura while he was scarcely twenty, issued a Farmān abolishing the pilgrim-tax.⁵ He removed restrictions on the building of places for public worship, and consequently a large number of places of worship were constructed.⁶ The Christians built their churches at Agra,

1. S. K. Banerjee, *Babur and the Hindus* in the Journal of the United Provinces Historical Society, 1936.

2. Bad, (trans.) II. p. 165. Badā'ūni mentioned an instance where Hājī Sulṭān of Thaneshwar, a co-translator of the Mahābhārata with Naqīb Khān, was punished for killing a cow there. Vol. III. p. 173,

3. 'Abdul Latīf, *Travels* p. 75.

4. *Tārīkh-i-Bayāzid*, pp. 263-64.

5. A. N. (tr.) II. p. 190.

6. Du Jarric, (tr. Payne) p. 75.

Thatta, Lahore and Cambay.¹ Jain temples were built at Satranjaya and Ujjain.² Mān Singh constructed at a cost of five lakhs of rupees a temple at Brindaban, which has been highly extolled by 'Abdu'l Laṭif in his travels.³

Regarding fairs and festivals, the ideas of Ākbar were cosmopolitan. The list of festivals permitted to be celebrated in the empire may be found in my work *The-Din-i-Ilahi*.⁴

On the whole Ākbar's rule had a purpose, a policy and a plan. Events whether religious or secular, moved more consistently than they had done at any other period of the Mughal administration before or after him. Of course, the orthodox section grudgingly suffered the grant of concessions to non-Muslims in religious matters. No sooner had Ākbar died than Mullā Aḥmad, one of the principal theological scholars of the age, sent letters to various provincial courts "to get things corrected at the beginning of the new reign lest it be too late."⁵

So far as the building of temples was concerned, Jahāngīr continued his father's practice of permitting non-Muslims to build places of worship. Benares, the city of temples, added three score and ten temples during Jahāngīr's reign. Bir Singh Bundelā built a magnificent temple at Mathura. The Christians were

1. The Annual Report of the Jesuit Mission in 1597.

2. *Jaina Śāsana*, Benares, Bir Samvat, 1410.

3. 'Abdul Laṭif, op. cit. pp. 33, 50-51. Mān Singh also built a beautiful mosque at Rajmahal in Bengal which stands even to-day, and Namāz is being offered there every Friday.

4. *The Din-i-Ilahi*, pp. 147, 151, 156. n. 16, 304.

5. Aḥmad Sarhindi, *Maktubāt*, (printed edition), vol. I. pp. 2, 26.

permitted to build churches at Ahmedabad and Hooghly, and burial grounds were set up at Lahore and Agra.¹ But at the same time Jahāngīr demolished temples at Mewar, Ajmer and Kangra,² and christian churches were closed under his orders at Agra.³

Jahāngīr was a mixture of opposites. He is credited by the orthodox Muslims with having restored the festivals and fairs of the Muslims.⁴ He refers in his autobiography to his celebration of the Muharram, Ramadān, Shab-i-Barāt as well as festivals of the Rākhi, Shivarātri, Dasherā and Dipāvalī in which he himself took part.⁵ The Christians were allowed to enjoy the celebration of Christmas, Michaelmas and Easter festivals and sometimes payments were made for these celebrations. The Kotwāl was the officer-in-charge of regulations of these festivals.⁶ Roe says, "The Hindu pilgrims at Hardwar numbered about five hundred thousands a year."⁷

The first ten years of Shāh Jahān's reign were decidedly marked by orthodoxy and events moved on theological lines. Soon after his accession, Shāh Jahān revived the pilgrim-tax, though shortly afterwards it was remitted at the instance of the Kavindrācarya of Benares whom Shāh Jahān revered so much. He forbade the completion of Hindu temples begun in his father's

1. Memoirs, J. A. S. B. 1916, pp. 174-76.

2. Tūzuk Tr., I. pp. 183-184; II. 223.

3. Roe, op. cit. p. 312.

4. Payne, *Jahangir and the Jesuits*, p. 75.

5. Tūzuk, (Tr. II. pp. 203, 204, 212).

6. Ibid, p. 112.

7. Roe, op. cit. p. 312.

time.¹ He caused the destruction of about seventy two temples in and near Benares, four in Āllahabad, three in Gujarat and some in Kashmir; the beautiful temples of the Orchha family were not spared.² Hindu officers under him were too imbecile or too unwilling to protest against this wholesale reversal of the policy and practice of the previous reigns. Shāh Jahān did not allow the Christians the right to offer worship in churches publicly though he would not interfere with their private worship.

The latter part of Shāh Jahān's reign was not characterised by the iconoclastic activity of his early years; this was possibly due to the increasing influence of Dārā in the state. Dārā personally presented a stone railing to the temple of Keshav Rāi at Mathura.³ Jai Singh was given the full control of Mān Singh's temple at Brindaban in 1639; Hindu temples of Gujarat were restored to the Hindus after 1647.⁴

1. Lāzhōrī, op. cit. I, p. 452. Farmān, dated Jan. 1633, Qazvīnī op. cit. Ms. 405. f

2. Sir Jadunath Sarkar, in his *History of Aurangzeb*, III, pp. 319-324, throws the responsibility of this destruction of temples in Gujarat on Aurangzeb who was the viceroy at that time; Dr. Saksena (*Shah Jahan* pp. 98-90) says that prince Aurangzeb was too young in 1647 to have a definite policy of his own and according to him, Shāh Jahān was responsible for this order of destruction. But the very fact that temples were restored by the Hindus after Aurangzeb's departure proves the truth of Sarkar's view. (Khāfi Khān. M. L. I p. 454). Shāh Jahān reprimanded Aurangzeb for demolishing the temple of Khānda Rāi at Satara.

3. *Akhbārāt*, dated, 14th. Oct. 1666. Akbar is said to have offered a golden umbrella to the temple of *Jwalāmukhī*. The worshipping utensils in the temple of Seringapatam bear inscriptions showing that they were the gifts of Tipu Sulṭān.

4. *Akhbārāt*, dated, 7th. Aug. 1639.

Āurangzeb, the *Zindapir* (The living spiritual guide), was a complex personality. He had already demonstrated his iconoclastic zeal as a prince.¹ Soon after his accession in 1659 he issued a *Farmān* which ran thus :—

“Long standing temples should not be demolished, but no new temples should be allowed to be built..... Our royal command is that in future no person shall in unlawful ways interfere with or disturb the Brahmans or the Hindu residents in those places.”² But two years after, in 1661, Āurangzeb's general, marching in and through Palamau and Kuch Behar destroyed a large number of temples and idols converting many Hindu temples into mosques.³ Āurangzeb issued an order for the confiscation or destruction of those temples which had been restored to Hindus after his transfer from Gujarat.⁴

The year 1669 A.D. is a memorable year in the history of iconoclasm in India. In this year, the Governor of Orissa was ordered to destroy all temples, old and new, including those built during the previous decade. For the fault of a Brahman in Benares who used to attract both Hindu and Muslim students, Āurangzeb ordered the closing of all schools of the Hindus and stopped attendance of the Hindus and Muslims in the same school.⁵

1. Sarkar, op. cit. Vol. III. pp. 319-324.

2. J. A. S. B. 1911, p. 1789. *Ma'āthir-i-Ālamgārī*. p. 81.

3. Khāfi Khān, M.L. II. pp. 136, 152. Mir Jumla took a prominent part in the destruction of temples in Kuch Behar.

4. *Butkhānah-i-Munhadimah rā ke al-hāl marammat namūdah and bayandāzad. Mir'at-i-Aḥmadi* I. pp. 259-260.

5. Orme's Fragments, n. 85. It is peculiar that in circle of poets that corresponded with Zebu'nnisa, was found the name of Hindu poet, Brahman.

The governors were only too glad to carry out the instructions of their master. News reached the capital that the temples of Malārinā at Ajmer, of Visvanāth and Gopināth at Benares and that of Keshav Rāi at Mathura built by Bir Singh Bundelā, had been destroyed.¹ The Hindus, out of fear, began to remove their idols to places of comparative safety. The famous deity of the *Govardhan* temple was first removed to Jodhpur, thence to Udaipur and was installed there under the protection of Rānā Rāj Singh (March 1672).² This was one of the causes of the estrangement between Udaipur and Delhi. In Gujarat, safety of idols was purchased on payment of cash to Qādīs or Muhtasibs.³

Out of despair came courage to the Hindus, and at Ujjain, a Muslim officer of the state, who was sent to destroy a temple, was killed. In Gujarat, Hindus offered so determined a resistance that Friday-prayers in public mosques had often to be stopped. The author of the *Mir'āt-i-Āḥmadī* mentioned that royal orders were sent to provincial officers to secure the use of some mosques for Friday prayers. The determined resistance of the Hindus possibly cooled down the fury of Āurangzeb for some time, but

1. The stones of this temple were brought to Agra and were placed under the steps of Jāhāngir's mosque. Manucci, II, p. 116.

2. G. S. Ojah, *History of Udaipur*. I. pp. 34-36. Ojah gives interesting details of the refusal of the installation of the idols by the Jodhpur state-officials and of the romantic adventures of the priests during the process of removal.

3. *English Factories in India*, XIII. pp. 140-41.

4. M. A. I. p. 261.

soon after the death of Jaswant Singh in December 1678, the storm burst forth once again. Ābū Durāb destroyed temples at Khandela remorselessly. Jodhpur, which was not at war with Āurangzeb till then, witnessed the demolition of some of her temples by Khān-i-Jahān and this led to his bitter war with the Mughal Empire. Within one year (from March 1679 to February 1680), at Udaipur alone, no less than two hundred and thirty-five temples (including the three finest ones by the side of the lake Udai Sāgar), and sixty-two at Chitor¹ were destroyed. The prince of Udaipur retaliated by making reprisals at Ahmednagar and by destroying a large number of mosques in that area.² Even the Rājā Rām Singh of Jaipur, who was bound by ties of traditional friendship with the Mughals, had to close no less than sixty-six temples.³ During the period following, Āurangzeb prompted by a religious urge without much reference to politics declared a holy war against the Hindu temples. On his way to the Deccan, he destroyed all the available temples that lay near or along the route. After the conquest of Golconda and Bijapur, he had ample scope for satisfying his inconclastic zeal by destroying temples in those kingdoms. The Ākhbārāt of this period while occasionally referring to the opposition of the Hindus and Sikhs, mentioned with great glee the incidents relating to the destruction of temples in Gujarat, Dwarka, Marwar, Āurangabad, Ajmer,

1. *Ma'āthir-i-Ālamgīrī*, pp. 175, 186, 188-89.

2. *Fatuhāt-i-Ālamgīrī*, Ms. 79 f (b)

3. *Ma'āthir-i-Ālamgīrī*, p. 194.

Purandar, Bundelkhand, Sarhind and Hardwar,¹ Many of these temples, no doubt, were repaired by the Hindus subsequently, but they could not be restored to their original pomp. The Indian architecture lost much of the glory that was peculiarly its own.

As a corollary to this anti-Hindu drive, Aurangzeb re-imposed the pilgrim-tax.² From an economic point of view, the tax was rather a gain because one bath during a solar eclipse brought Rs. 100,000/- to the treasury.³ The Holi and the Dipāvali were stopped in 1665.⁴ According to the Akhbārāt of the 11th Dec. 1694, the cremation of the dead bodies on the banks of the river Jumna was prohibited. The Hindus were not allowed to dress like Muslims according to the injunctions of the Mullās.

The iconoclastic zeal of the Muslims was so satisfied by the measures of Aurangzeb that there was no more zeal left in them for about a quarter of a century for revival of further iconoclastic activities. Moreover, confronted by a spirit of defiance amongst the provincial governors, by the rise of the militant religiosity amongst the Sikhs and by the awakened consciousness of Hindu Pād-Pādshāhi amongst the Mahrattas under Bāji Rāo, the weak Mughal rulers could hardly afford to continue the same iconoclastic activities against the Hindu temples.

To summarise the position of the non-Muslims in respect to the right to worship, to build temples, to

1. Sir Jadunath quoted from 'Inayetu'llāhs Moktubāt that idol worship at Somenath was stopped. *Hindusthan Standard*. Annual, 1950, p. 54.

2. Manucci, II. p. 82; III. 288-289.

3. Bernier, op. cit. p. 303, The rate at Allahabad was Rs. 6/4/- per head.

4. M. A. I. p. 261. Manucci, II p. 154.

attend holy places and fairs, —Bābur was just a beginner in the art of iconoclasm; Humāyūn was a mystic, and there is no evidence to brand him as an iconoclast. Akbar was by nature a universalist; in the end offered the widest possible latitude to all his subjects in religious matters. Jahāngir was as great as he was small; and he was not much of an iconoclast; much can be said of him on either side. With Shāh Jahān a new policy was initiated and it was continued for the first ten years of his reign; but in him, the politician ultimately prevailed over the theologian. Dārā and Jahānāra relieved the gloom which otherwise enveloped the Dhimmis. Aurangzeb's attitude towards everything non-Hanāfi, judged by the events, does not leave much to say in his favour.¹ The later Mughals were mere shadows of the great Timūrids and deserve no specific mention, because they had no policy of their own, and if ever they had any, they could not enforce it.

III. Position of the Dhimmis in the public service.

The Mughals were foreigners when they first appeared on the Indian soil. The natural desire of a ruler in every country was to give employments to kinsmen and connections, and the Mughals were no exception. Guided by the necessity for preservation of their throne, they had to employ men who could be trusted most in the land of foreigners. The army was, therefore, their first consideration. Lastly, The conquered country required to be administered and

1. *Ghazals* (poems) of Zebu'n-nisa written under the title of *Makfā* (the hidden) reveal that inspite of her father's wishes to the contrary, the spirit of Akbar was till then working silently even in the harem.

the primary concern of the administration was finance and justice. Thus, three factors guided the appointments in the state-service, viz.:

- (a) favour to kith and kin,
- (b) the necessity of securing a faithful army,
- (c) the requirements of finance and justice.

The Mughals naturally extended their favour to those who belonged to their own tribe, or to their kindred tribes, or to their co-religionists, or to those connected with them by marriage. Personal attachment to the monarchy was often rewarded with high appointments. Pelsaert mentions in his *Remonstranti* how a Rājput horseman named Ānūp Rāi jumped upon a lion to save the life of Jahāngīr and was seriously mauled. As a price for his extreme attachment and sacrifice, Ānūp Rāi was promoted to the rank of three thousand. Pelsaert takes this occasion to emphasise "the devotion displayed by such subordinates, who were ready to give their lives for their master as if they were actuated by the passion of love."¹

In the judicial branch of administration, which was looked upon as a part of the theological department of the state, the posts were a close preserve for the Muslims. The Ṣadr-u'ṣ-Ṣudūr, Qāḍī-u'l-Quḍāt, Qāḍī including the Qāḍī-u'l-'Āskār, Muftī, Mir 'Adl and similar religious dignities, were sealed against non-Muslims. Only in those cases where the litigants were Hindus, the Hindu *pandits* were utilised in the judiciary.² But, as regards the appointments

1. Pelsaert, *Remonstranti*, p. 53. Tūzuk Tr. I. pp 185-187. He was rewarded with the title of Ānī Rāi.

2. Bad. II. pp. 356-7.

on the purely administrative side, the number of non-Muslims, though not proportionate to their numerical strength, was not negligible. During the reigns of Bābur and Humāyūn, the Mughal policy could not be and was not been shaped. Ākbar made a gigantic change in the matter of higher appointments; often merit and not birth was the criterion of promotion. Bhagwān Dās, Mān Singh, Rāi Singh and Todar Mal rose to the rank of governors of some of the most important provinces. Todar Mal was appointed the finance minister, and for some time the principal minister of Ākbar.¹ Of the twelve provincial finance ministers in 1594-95, no less than eight were Hindus.² Minor appointments in the department of finance and accounts went to the Hindus in large number. The Muslims did not find it inconvenient to work with and under the Hindus because Todar Mal laid down that accounts were to be maintained in Persian. In other departments such as medicine, surgery, music and painting, the number of non-Muslims were not inconsiderable, as may be gathered from Blochmann's list of the Grandees in the appendix of the *Ā'in-i-Ākbarī*.

During the time of Jahāngīr, the policy of Ākbar in the matter of administrative and financial appointments was continued. But, at the outset the Hindu nobility compromised their position when Mān Singh's complicity in favour of his nephew Khasrau

1. The Muslims led a deputation against Todar Mal's appointment as a finance minister. But Akbar replied, "Have you not appointed in your estates the Hindus in the department of finance?" Bad. Tr. II. 65.

2. A. N, text, III. p. 670,

was suspected. Their position further worsened when Rājā Rāi Singh of Bikaner actually rebelled against Jahāngīr. Still, during his reign, at least three provincial governors were non-Muslims, namely, Mān Singh, governor of Bengal, Rājā Kalyān, son of Todar Mal, governor of Orissa and Rājā Vikramjit, governor of Gujarat. Mohan Dās acted as his Dewān in the third year of his reign.

During Shāh Jahān's reign, the practice was not as narrow as were the principles on paper. Shāh Jahān started by issuing an ambitious order that appointments should henceforth go to the Muslims only.¹ But, we find men like Rājā Todar Mal, Rāi Kāshī Dās and Rāi Bahar Mal holding very high posts in the department of finance and accounts. Rāi Chandra Bhān, the great writer of Chahār Chaman, was in charge of the Dār-u'l-Inshā' (the Secretariat). Rājā Raghunāth officiated for some time as the Imperial finance minister.² Departments were often placed under the charge of Hindus; *e. g.* the Dīwān-i-Tan and Dīwān-i-Buyātāt (dept. of escheated property) under Rāi Mukund Dās.³ The post of a provincial Dīwān was held by Beni Dās in Behar,⁴ Rāi Dayānat Rāi in the Deccan⁵ and Rāi

1. Khāfi Khān, M. L. text-I. p. 399.

2. It is significant that Shāh Jahān did not generally confirm Hindus in high posts, though they were given temporary appointments often. Converted Hindus were, of course, preferred to Kafirs, as was Sa'du'llāh Khān.

3. Lāhōrī. I. p. 310.

4. Ibid. II. p. 408.

5. Ibid. II. pp. 132, 134.

Sobhā Chānd in Lahore.¹ Jaswant Singh and Jai Singh were the chief Āmīrs of the state in the closing period of Shāh Jahān's reign, and they also served as provincial governors. Muslims as a class did not relish the monotonous routine work of the department of accounts ; as such, many of these posts were taken up by the Hindus or converts. The Muslims as a class preferred employments in the army and so did the Rājputs ; whereas ordinary Hindus ungrudgingly filled up subordinate ranks in various branches of government services, as has been recorded by Pelsaert in his *Remonstranti*.

Āurangzeb's reign was typical of the man. He started with Jaswant Singh and Jai Singh as chief Āmīrs of the state. As a price for their treachery against Dārā, they had their positions and emoluments continued and increased.² But at the end of his reign, there was no Hindu governor in the whole empire. Rājā Raghunāth, the Hindu Dewān had no Hindu successor. Āurangzeb issued a Farmān that no Rājput should be appointed as Foujdār or Subadār ; not only new appointments were not to be offered to Hindus, but even promotions should not be given to those who were already in service. The News-bulletin of the 10th May, 1703, mentions that Āurangzeb reprimanded his son for recommending Jai Singh II for a deputy governorship. The Ma'āthir-i-Ālmgīrī contains a Farmān which forbids the employment

1. Ibid. II. p. 279.

2. *Ālamgīr Nāmāh*, Text, I. p. 611.

of the Hindus in revenue departments.¹ But owing to the growing inefficiency in the administration of finance, Āurangzeb had to modify his order to the effect that 50% of the appointments in that department should go to the Muslims.² He forbade the Hindu officers in the army from appointing Muslims as personal servants under them.³ But all attempts of Āurangzeb failed to achieve the purpose for which they were designed, as is borne out by his letters in the last few years of his life.⁴

The Hindus in the Army

Preliminary :—There is a theological objection against the employment of non-Muslims in the army of a Muslim State. Ābū 'Udaidah, the commander-in-chief in Syria received instructions from 'Umar I not to allow the Dhimmīs "to keep arms, nor put them in our houses, nor wear swords."⁵ And it is often argued that the reason for imposition of the Jeziah on the non-Muslims was that they could not be employed in the army.⁶ But this exclusion had to be ignored

1. *Ma'āthir-i-Ālamgīrī*, p. 528. Similar references may be found in *Muntakhab-u'l-Lubāb*, Text, II, p. 249.

2. Faruki in his book, *Aurangzeb and his times*, tries in vain to justify this order on the ground of harsh treatment by the Hindu officers. On the authority of Manucci he says that similar Farmāns prohibiting employment of Pathans were issued on ground of the treachery. pp. 194-5.

3. Khāfi Khān, M. L. Text, II, p. 252.

4. Some letters were translated by Sarkar in his *Aurangzeb* vol. III.

5. Ibn 'Asākir, *At-Tārīkh* I. p. 149. *Wa lā nattakhidh shai'ann nina's-silāhi walā naj'aluhu fī buyūtina walā nataqalladū's-siwāfa.*

6. Yusuf Ali's ed. 1938. p. 447. n 1248. Muhammad Ali, Qur'ān, ed. 1929, Abridged. p. 195. note.

owing to the dictates of necessity. 'Amr ibn al-'As compelled the inhabitants of Egypt to fight at Pentapolis.¹ The *Kitāb-u'l-Aghānī* says that a non-Muslim Arab was in the army of Walid ibn 'Ukbah when he raided Asia Minor.² In the treaty of Suraka with Armenia in 644 A.D., non-Muslims were permitted to join the army of the believers instead of paying tribute.³ Under 'Adud-u'd-Dawlah, we find a Christian, 'Abū'l 'Alā', in command of an army.⁴

In spite of their declaration of the Jihad, the Muslim invaders like Sultān Maḥmūd of Ghazna recruited the Hindus into his army. Sher Shāh's army was manned by the Hindus to a considerable extent; his great general, Vikram, was a Hindu. 'Adil Shāh had the faithful Hemū as his general-in-chief. We have no definite information about the position of the Hindus in the army of Bābur and Humāyūn; but considering the number of the Hindus in the army of the Surs, it may be surmised that the large percentage of the Hindus in the army of Sher Shāh was not accidental. Certainly, the recruitment of the Hindus must have been going on for a considerable time and the wise policy of Sher Shāh only added a fresh stimulus to the Hindus to seek employment in the state-army.

Let us now give a comparative table of the Mughal army in its period of glory regarding the position of the Hindus holding

1. John of Nikiou, *Journal Asiatique*, 1879.

2. *Kitāb-u'l-Aghānī*, IV, p. 155.

3. At-Ṭabarī, *Annals*, I. 2665.

4. *Eclipse of the Abbāsid Caliphate*, 2, 392.

ranks from seven thousand down to five hundred in the light of Kewal Rām's history :—

Rank	Akbar.	Jahāngīr.	Shāh Jahān.	Aurangzeb.
7000	1	x	x	2
6000	x	1	1	4
5000	5	9	9	5
4000	4	4	10	5
3500	1	1	x	4
3000	3	5	24	13
2500	x	3	5	5
2000	8	13	22	16
1500	x	5	31	27
1000	8	4	33	15
900	x	1	2	1
800	x	3	20	x
700	4	x	15	3
600	x	1	11	2
500	7	5	44	2
Total	41	55	227	104

The following table gives the number of Manṣabdārs holding rank from 500 to 7000 according to different authorities¹ :—

1 The exact number of Manṣabdārs in Akbar's time cannot be stated correctly ; Blochmann's list (*The Calcutta Review*, April 1871) differs from the list given by Sir Sayyid Ahmad Khan in his printed Persian text of the *Ā'in*, pp. 180-86. The former mentions 412 and Sir Sayyid 408, as the number of Manṣabdārs. Jahāngīr's list has been collected from *The Empire of the Great Mogal* by the Dutch traveller, De Leat (p. 117). He gives the total number of Manṣabdārs as 438, but does not mention them separately. Shāh Jahān's list has been given in *Pādshāh Nāmāh* by Lāhorī and also by Kewal ; but they do not agree in details. Aurangzeb's list has been given by the author of *ʿUmarā-i-Hanūd*, published by Anjuman-i-Taraqqī-i-Urdū, but it differs widely from Kewal Rām's list. Unfortunately *ʿUmarā-i-Hanūd* does not refer to any authority.

	Ābul Faḍl	De Laet	Kewal	Lāhōrī	Total
Ākbar	Muslim	215	x	214	x
	Hindu	32	x	37	x
Jahāngīr	Muslim	x	383	x	x
	Hindu	x	55	55	x
Shāh Jahān	Muslim	x	x	437	453
	Hindu	x	x	227	110
Āurangzeb	Muslim	x	x	435	435
	Hindu	x	x	104	104

During the time of Ākbar, the position of Hindus in the army was sound though the proportion was not pretty high. The Rājputs lost their position to a certain extent owing to the suspected complicity of Mānsingh in the plot in favour of Khasrau in 1605 as has been noted already. Nār Jahān favoured the Persian nobility from which her father came to the disadvantage of the Rājputs. Gradually during Jahāngīr's reign, position of the Hindus in the army deteriorated but not very appreciably. Taken as a whole, during Shāh Jahān's reign, the position held by the Rājput families in the Mughal court was not negligible from the point of view of number. At the end of 1647, the Hindus numbered ninety-seven out of a total of four hundred and fifty-three. Between 1638 and 1647 A. D. in Shāh Jahān's reign, out of thirty-four promotions in the superior-grade Hindus secured no less than twenty-one.¹ Rājā Jaswant Singh and Rājā

1. This figure has been collected from stray references in the *Pādshāh Nāmāh* of Lāhōrī, I, pp. 258-321.

Jai Singh held independent command in the army and led expeditions. Shāh Jahān did not disturb the amicable relation that had existed, during the last two reigns, between these two houses and the Imperial court, and the Manṣabs devolved from father to son in regular succession. The Emperor himself performed the ceremony of investiture in orthodox Hindu fashion by using sandal, paddy and grass.¹ Even Āurangzeb could not turn out the Rājputs from the army ; during his long reign of over half a century, we find no less than one hundred and sixty Hindu generals at different periods in the lists of his army, and the maximum number at one time was one hundred and four. The highest command of seven thousand was held by Rājā Jaswant Singh of Jodhpur and Rājā Sāhū, grandson of Shivāji.² A peculiar feature of Āurangzeb's recruitment was the admission of the Mahrattas into the higher rank of the army. Out of thirteen Hindu Manṣabdārs of five thousand, no less than five were Mahrattas. Hereditary Manṣabs in the Jaipur, Udaipur and other Rājput houses continued. It is to be noted that though they retained their ranks³, they were not trusted, nor were they called upon to discharge any responsible duty of the state as in previous

1. Aurangzeb stopped the ceremony of investiture because it smacked of idolatry.

2. Sāhū's rank was more or less ornamental ; he was too young to be an effective commander at that time.

3. But in many instances the rank was reduced as in the case of Rām Singh who was given Manṣab of 5000, though his father, Jai Singh, had one of 7000. Vishan Singh, grandson of Jai Singh, held the rank of 4000.

reigns. Often, Āurangzeb invited the Rājputs to join a war, but, he tagged them to a Muslim commander as we find in the Deccan wars.

To conclude, the Hindus during the reign of Āurangzeb were not wanted in the public service. They were made to feel that they were allowed to exist only by sufferance. No doubt, the Hindu nobility existed in the army but often as hereditary figure-heads. In the lower ranks of service, the Hindu efficiency was utilised mostly from the converts as in the case of Qānungos and Kāroris. In the department of finance and accounts, they could not be dislodged.¹

During the later period, political pressure threw the state machinery out of gear and a systematic neglect of the Hindus was impossible. They were in every department without much consideration of their religion. Recruitment in the state-services was more a matter of necessity than one of policy or principle.

IV Cultural Associations.

In the domain of culture, the Mughals were much less orthodox than they were in that of religion. It was on this plane that both communities approached each other, and often willingly. The process of fusion was facilitated by inter-marriage first between the Turks and the Persians, and finally between the Mughals and the Rājputs. These inter-marriages resulted in the fusion of three languages—Turki, Persian and Hindustani. There is no doubt that the Persian language was Indianised during this period. It was

1. Khāfi Khān, M. L. II, pp. 249-252,

enriched by the addition of Indian words, idioms and diction so much so that the Persian writers of Iran interdicted the Indian Persian as bastard.¹ Dr. M. Siddiqi collected a list of Indian words used in the *Humāyūn Nāmāh* of Gulbadan Begam, which was written as early as in the 16th century.² On the other hand, in couplets of Behārī's *Sat Sai*, there are about a hundred Arabic and Persian words which have been noticed by Dr. Dewhurst.³ We have shown in the *Din-i-Ilāhī* that Indian poets like Āmir Khusrau and 'Abdūr Raḥīm Khān-i-Khānan mixed up Hindi, Sanskrit, Urdu and Persian hemistiches in the same couplets.⁴ The custom of using 'Pen-name' (*Takhallus*) in poetical production though not heretofore absolutely unknown, became more common among the Hindu poets. The Muslims, on the other hand, introduced their books with the names of the Hindu gods. To mention a few of them :—

'Abdur Raḥīm began his *Madanāstakā* with the name of Gaṇeṣa. Aḥmadu'llāh opened his *Nāyikābheda*

1. Wala Dāgīstāni in Riyazātu'sh-Shu'ra refused to include the Indian poets in the list of noted writers in Persian, not even Faiḏī.

Dar nawkri-i-Hind libāsāt bāyed,

distān-i-zar o jāma'āi tast bāyed

chūn gāw'i shikam o rīsh-i-darāz bāyed,

zi 'aql o khirad o fāhm o firāsāt bāyed.

To enter the services of an Indian prince thou must have a good dress, a turban of gold cloth and a garment of silk. Thou should have a pouch of an ox and a flowing beard. There is no need of intellect, wisdom or sagacity (Sa'dī) Thus was Indian writers standard.

2. Dr. Siddiqi's article on the same subject in *Jha Commemoration Volume*. See my article in B. O. R. S. Journal on *Hindu Writers in Persian*, 1944.

3. J. R. A. S. 1915.

4. *The Din-i-Ilāhī*, pp. 17-20.

with S'rī Rāmji Sahāya; as he proceeded, he adopted Ātha Saraswatī Stūti and Gaṇeśa ki Stūti.

Ya'qūb Khān in his Rasabhūṣaṇa invoked blessings not only of S'rī Gaṇeśa but also of a series of Hindu gods and goddesses—Saraswatī, Kṛiṣṇa S'rī Rādhā, and S'rī S'aṅkara.

Ghālam Nabī in his Ānaṅga-darpaṇa used the name of S'rī Gaṇeśa at the beginning.¹

'Āzam Khān began his S'ringār-darpaṇa after offering obeisance to the Hindu saint Rāmānuja.

On the other hand, Hindu writers like Chandrabhān, Kīṣan Chānd Ikhlās and others, while writing on Muslim subjects, invoked the name of Allāh or began with the usual 'Bismillāh-i'r Raḥmān-i'r Raḥīm in the orthodox Muslim fashion.

Hindu writers adopted the Persian style of composing the Mathnavī. To name a few of such writers, we may mention Kīṣan Chānd Ikhlās, Benārasi Dās Walī, Siyāl Koti Mal, Jaswant Rāi Munshī, Tikā Rām and Brindāban Dās.

The Hindus were not in the habit of recording historical events in the way in which the Muslims did; in short the science of modern historiography was not so much cultivated in Hindu India.² But

1. *Gaṇeśa* is the traditional Hindu god who wrote the Divine book of *Brahma*, the Creator.

2. Pandit Pramathanath Tarkabhusan of The Hindu University in his article in the Special Number of *A. B. Patrika* (Oct. 1941) attempted to prove that the Hindus had an excellent sense of history, and that they wrote history under the name of the *Purāṇa*. Even if it were so, the *Purāṇa* has been so much mixed up with myth and religiosity that it is difficult to find out where myth ends and history begins.

during the Mughal period, Maheśa Thākūr wrote his famous *Sarvadeśa Vṛttānta Saṅgraha*¹ in Sanskrit (1650 A.D.) No less than a dozen more histories were compiled by Hindus in Sanskrit and Hindi besides scores written by Hindus in Persian.²

On the other hand, Muslims took up Hindu subjects and themes in their works while they translated eminent Hindu works into Persian. Faiḍī composed a *Mathnavī* on Nala and Damayantī from the *Mahābhārata*. Shaikh Nūr Muḥammad and Mīr 'Āskari Raḍī versified the tale of Madhū-Mālātī. Murād composed the story of Kāmṛūp and Kamlatā. Āmānat narrated the stories of Śrī Kṛṣṇa. Badā'unī translated *Batrish Singhāsana*. Faiḍī translated the *Bhagawad-Gītā* and the *Kathā-Sarit-Sāgara*. Naqīb Khān, Badā'unī, Ḥajī Sulṭān and others jointly undertook up the translation of the *Mahābhārata* and the *Ramāyana*. Tājū'd-Dīn translated the *Hitopadeśa*. Ghulām 'Alī Āzād introduced the famous *Nāyikā-Bheda* to the Muslim literary circles.³ By the time the Mughals were on the throne of Delhi, the Hindu cults of Rāma and Kṛṣṇa had already entered into Muslim poetry.⁴ Raḥīm is only an expression of the

1. Recently I started translating this *Sarvadeśa-Vṛttānta* of Maheśa Thākūr but found that it is a translation of Akbara Nāmah. So, I left the work.

2. For details see my article in Hindi in the *Biswin Sadi*, pp. 11-16, Jan. 1937. *Mughal Rāj Darbār me Hindī*.

3. See my article on *Sufism* in the *Udbodhan*, 1340 B. S. Calcutta and *The Din-i-Ilahi*, pp. 20-23.

4. शरद निशि निशीथे
सघन बन निकुंजे
रतिपति सुतनिद्रा
मदन शिरसि भुयः

चाँद की रोशनाई ।
कानु बंसी बजाई ॥
सांझयां छोड़ भागी ।
क्या बला आन लागी ॥

tendencies that had been working since the time of Mālik Muḥammad Jaisi.² The patronage of the Mughal Emperors, princes and grandees was of immense value to the cultural fusion of the two peoples.

In the field of music which is the Eternal Language of Creation, the Hindu-Muslim fusion was on a plane where the limitations of society and religion hardly restricted the mutual *rapprochement*. Mutual reactions of Hindu-Muslim music may form a separate volume of considerable interest. Bakshu collected one thousand *Dhrupad* in the time of Shāh Jahān. Mirzā Roshan Āmir translated Parijātaḳa, and Faqīr-u'l-lāh translated Mān-Kautūhala of Mān Singh. Rāichānd of Āhmedabad collected the principles of Hindu music under the name of Uṣul-i-Ġhina.

On the higher plane of Ṣūfism, the Hindus and Muslims approached each other through the mediation of saints. The Yoga system of the Hindus had already filtered into the Muslim life for centuries. Nizāmu'd-Dīn Ḥasan described the Hindu method of

Continued from p. 277

In an autumn night	moon was shining,
In a dense grove	Kānu was playing flute,
Rādhā left her sleep	husband and child.
Oh God of love ! again	What a calamity on my head !

This poem of Raḥim quoted from his Madanāṣṭaka is an instance of fusion of two languages. First half of each line is in Sanskrit, the second half is in Hindustani. The theme is Rādhā Kṛṣṇa's love episode.

meditation in his famous book the *Risāla-i-Sattariyah*. Rayae-u'l Basatin is another work in which the ideas of Nirvāṇa (Ānnihilation) have been described. Dārā Shukoh in his *Majma'-u'l-Bahra'in* tried to show the similarity between the trends of Islām and Hinduism.¹ The Ṣūfī cults of the *Roshaniya*, *Tanasukhia* and *Ilahia* received a good deal of their inspiration from the Hindus. We have discussed elsewhere³ the reciprocal influence of Islāmic mysticism and Hindu Vedāntism.²

In the domain of literature and science, the mutual action and reaction between Islām and Hinduism has been fairly well described in the lectures of Sulaimān Nadvī in his '*Ārab aur Hindustān ke Ta'alluqāt*.' Amongst the treatises translated into Persian were Bhāskaraṇḍhārya's *Siddhānta S'iromanī* in four parts, namely, *Lilāvati*, *Bījagaṇita*, *Grahagaṇita* and *Golādhyāya*. The *Lilāvati* was translated by Faiḍī and the *Bījagaṇita* (Algebra) by Ābdu'llāh Rāshī. Medinī Mal also translated the *Lilāvati* under the name of *Bada-e-u'l Fanūn*. The *Zubdatu'l Qawānīn* by Harsūkḥ Rāi gives an account of Hindu arithmetic. Bahāu'd-Dīn Ā'yub in his *Kḥulāṣat-u'l-Ḥisāb* borrowed from the Hindu treatises the Rule of Nine for checking the accuracy of multiplication. Bābur and Humāyūn were believers in astrology, and Humāyūn may

1. Prof. Mahfuzul Haq has published an excellent edition of this work in the Bib. Ind. Series.

2. Sardar Iqbal Ali Shah in his *Islamic Sufism* has discussed the back-ground of the different sects of Ṣūfīs.

3. The *Din-i-Ilahi*, pp. 21-24. See my article, *Sufism in Indian Environment in The Greater India Journal* 1944.

4. *Allahabad Hindustani Academy* publication in Urdu. Pandit Hara Prasad Sastri in the introduction of his *Jātakamanjari* has also given a few instances of Indian influence on early Muslim culture.

be called 'an astronomer-king' as 'Umar Khāyyam was known as an 'astronomer-poet'. Ākbar had the great astronomical work, *Zich-i-Mirzāi*, translated into Sanskrit by Ḥakīm Faṭḥu'llāh Shirāzi. Jahāngīr's interest in astrology is proved by his having a horoscope cast for every one of his children. Calculation of auspicious days was a common custom of the Muslim nobility. Hindu astronomical works of this period like *Siddhāntatattva-viveka* of Kamalākara and *Jyotiṣa-siddhānta-sāra* of Mathurā Nāth Sukla bear definite traces of Arabian influence. Mirzā Rājā Jai Singh, who is so famous for his observatory, the *Jantar Mantar*, had several Arabic works on astronomy translated into Sanskrit. Pandit Jagannāth translated Ptolemy's *Al-Majastī* into Sanskrit and Nayansukh Upādhyāya rendered Euclid's *Geometry* into Sanskrit from Arabic. Naṣīr-u'd-Din Ṭāsi's famous work on circular instruments was translated into Sanskrit and is known as *Katara*. The cultivation of Arabic and Persian became so common amongst the learned scholars that dictionaries of Arabic-Sanskrit, and Sanskrit-Persian had to be written under the titles of *Pārsī-Jātakam* and *Pārsī-Prakāśa*, and Faiḍī wrote a grammar for the Persian students who wanted to learn Sanskrit.¹ The *Tuḥfatu'l Hind* by Mirzā Khān Ibn Faḥrū'd-Din Muḥammad gives an excellent description of *Koṭa* and *Sāmudrikāśāstra* of the Hindus.

1. One Ms. of this grammar, *Saṃskṛta-Pārasika Paḍa-prakāśa* exists at the Royal Asiatic Society's Library in Calcutta. Similar Mss (Nos. 911-913) may be found in Khuda Buksh Library, Patna

In medicine, the influence of Hindu sciences was very prominent during the Mughal period of Indian history.¹ A list of Hindu surgeons and physicians has been given in the *Ā'in-in-Ākbarī* by *Ābā'l Faḍl*.² In the Bodleian collection, there are numerous Sanskrit works on medicine in Persian translations. *Bhavah ibn Khawās* in his *Madan-u'sh-Shafa'-i-Sikandarī* described the Indian science of medical aphorism, anatomy and pharmacology. *Hindu Shāh* (*Qāsim Farishtah*), though commonly known as a historian, also compiled a work on the Indian systems of medicine under the name of *Dustūr-u'l-Ātibbā*. The *Tuhfatu'l-Mā'minīn* mentioned many well known Indian medical writers such as *Caraka*, *Saśruta*, *Bhojadeva* and *Bhāḡawat*. Indian drugs were freely often used by Muslims. Many books on Indian drugs were written by *Mallā 'Alī ibn Ḥusain 'Al-'Ansari*, *Ṣiddiq*, *'Al-Ja'isī* and *'Abdū'l Faṭḥ Namkīn*. The Hindu works on veterinary science were translated by *Ibn Sayyid 'Abdū'l Ḥasain Hashmī*, *'Abdū'llāh ibn Shāfi'ī* (of Gulbarga) and *Khawāja 'Abdū'llāh*. The *Qajraj-Nāmah* and *Fil-Nāmah* are two eminent books on the treatment of elephants and their diseases. *Muḥammad Qālī* wrote his famous *Koka S'āstra* during the early period of *Shāh Jahān's* reign. But the Hindus were not slow in utilizing Persian works. *Mahādeva Bhatta* compiled *Himmat Prakāśh*; *Todarānanda*

1. In *Sisu Bhārati* (Allahabad, Nos. 38-43) I described the position of Hindu medicine in the court of the 'Abbāsids, specially during the Barmaki period.

2. See my article on *The Physicians of the Mughal Court* in the *Proceedings of Indian History Congress, Cuttack, 1949*.

APPENDIX A

Position of the Musta'man.

(THE CHRISTIANS IN THE MUGHAL EMPIRE.)

The Christians in the Mughal empire were generally foreigners who came from outside to India some in quest of gold, some for adventure, and some on religious mission for converting the "Great Mogor." The professions to which they belonged were confined to commerce, jewellery, medicine, surgery, army and artisanship (enamelling, goldsmithy and lapidary).¹ Their number was not very large if the cross-breeds were left out. Their services were often utilised in the army. In Bengal, Pratāpāditya had some Christians in his admiralty section; in the siege of Āsirgarh, Muqarrīb Khān had at least seven Christian gunners.² Shāh Jahān had two hundred Portuguese in his army of revolt against Jahāngir.³ Mīr Jumla had eighty Christians in his artillery;⁴ Dārā Shukoh employed at least two Europeans against Āurangzeb.⁵ These people generally led vicious lives, were polygamous, married Indian women of low origin and were always ready to change their faith to Islām because of the allowances granted to them or for petty facilities of existence as Muslims.⁶

1. Monserrate, Mem. A. S. B. III, 1914, folio, 60(a).

2. Smith, *Akbar the Great Mogul*, pp. 282-283.

3. *Annual letter from Goa*, 1924. *The Examiner*, April 6, 1912.

4. Manucci, op. cit. I. p. 226.

5. Ibid. I. p. 295.

6. MacLagan, *The Jesuits and the Great Mogul*, pp. 315-16.

The Renaissance, Reformation and Counter-Reformation movements in Europe urged the Jesuits to seek new fields for preaching the message of Christ. Goa became a centre for the Jesuit missionaries backed up by the Portuguese King. Already there had been attempts to convert the 'Great Mogors' in Central Asia, but they generally failed; and now in the 16th century a fresh urge seized the Jesuits to try once more the lost cause, and circumstances favoured them in the reign of Akbar, the eclectic being on the throne of Hindustan.

During the conquest of Gujarat, he came in contact with the Portuguese Christians, and in his inquisitiveness he sent a Farmān to the 'Principal, at Goa 'to send some missionary.' After the arrival of the first Mission in February, 1580, the Christians began to play a new role in the land of the Mughals. They took part in the discussions of the Ibādat Khānah, and 'by their manners and intelligence' they created some impression on the mind of the Emperor. They started a school which was attended by the royal children, Salīm, Murād and Dānyal and also by some children of the nobility.² Akbar himself took some lessons from them, and some of these Jesuit Fathers took to learning Arabic, Persian and Hindustani³ in order to make direct approach to the people. For some

1. Regarding the motives of this invitation, a detailed account has given in chapter V of *The Din-i-Ilahi*, 170-186.

2. Maclagan, op. cit. p. 274.

3. Ibid. p. 193. In 1653, they took to the study of Sanskrit to know the Hindu standpoint and they carried Sanskrit script to Europe in 1667(?)

time, interpreters from amongst the Armenian Christians were appointed as was the case with the First Mission under Rudolf Acquaviva who appointed Henriquez.¹ Father Xavier became so well versed in Persian that he composed several books in that language so that the people might understand the view point of the Christians.²

By the year 1594 A. D., the Christians were favoured with a Farmān from Bādshāh Akbar stating, "if any of the infidels wished to build a church or synagogue or idol temple, none were to prevent them."³ After this Farmān, they found little difficulty in the construction or maintenance of the churches and houses in public places.

Now the position of the Christians in Mughal India is being discussed below under the following heads :—

(a) their right to purchase lands, to build houses and to construct chapels, churches and cemeteries.

1. Smith, op. cit. pp. 169-70.

2. Father Xavier's Persian works have been referred to by MacLagan—

(a) *Mirāt-ul-Quds* (Mirror of Holiness) or *Dāstān-i-Masīh* (Life of Christ).

(b) *Ā'ina-i-Ḥaqqumā* (The Truth-showing Mirror).

(c) *Dāstān-i-Aḥwāl-i-Ḥawāriyān* (Lives of the Apostles)

(d) *Al-Zabūr* (Psalter).

(e) *Al-Injil*, (The Gospels.)

(f) *Ādāb-i-Saltanat* (Guide of Kings). This was dedicated to Jahāngīr in 1609.

He also wrote some books in Persian, Sanskrit and Hindustani.

3. Bad. Vol. II, 392 p. Text.

Az iḥdāth-i-ba'iah o Kanāsah o But-Khānah o Dalmah hich ek rā az Kuffār māna' nianid.

(b) their right to make conversion, to congregate, to carry procession, to make exhibition of relics and to play music.

(c) their right of public service.

(d) their exemption from the Jeziah.

Before entering into a discussion on the subject, it is necessary to explain the general attitude of the Muslims towards Christianity. Christ has been accepted by the Prophet of Islām as one of the prophets, the Bible as one of the revealed books and the Christians were the *Āhlu'l Kitāb* (Possessors of Revelations). So the question of non-recognition by the Muslims on the ground of polytheism did not arise in their case. Marriages between Christians and Muslims were allowed by the Muslim law. According to the *Ḥadith* and *Fiqh*, any one who was not a subject of a Muslim state might claim a guest's protection in a Muslim land and he was entitled to remain in the country without paying the Jeziah for the term of a whole year. If he continued to stay after one year, he was to pay the usual tax for which a notice was to be given to him. Of course, the state had a right to cut down the term of his stay to a shorter period for reasons political. In case he stayed after the term of a year, he was entitled to the status of a *Dhimmi* and was called a *Musta'man*. An alien was admitted to the status of a *Dhimmi* automatically if he purchased a tribute-paying land or married a *Dhimmi*, and he became at once liable to pay the Jeziah for the ensuing year. An alien woman by marrying a *Dhimmi* became a

Dhimmi. A Dhimmi was not entitled to build a new place of worship except in his own house. But, he might repair one which was broken. He could not make an open exhibition of his rituals before a Masjid. A Dhimmi could not have any share in a booty, but might have discretionary allowance if he had joined the war.²

Strictly speaking, in India, no technical distinction was made between the status of a Dhimmi and that of a Musta'man, *i. e.*, between a non-Muslim subject and a non-Muslim alien. An alien was to report himself to the authority within 24 hours of his arrival in the country.³ In almost all cases, the Christians who stayed in the country were subject to the jurisdiction of the royal executive and judiciary. There are instances when they were tried before the Qāḍī's court.⁴

The Christians could purchase lands in India. Akbar gave them formal permission to build a church⁵ and they built one in 1599. Another church was built in 1604 at Āgra which was patronised by Prince Salim. This church was sometimes referred to as 'Akbar Bādshāh Kā Girjā'.⁶ In 1599, the Lahore chapel was completed to which Akbar "sent costly gold and silk cloths for its adornment."⁷ He also sent from his own collections a picture of Mary for the chapel.⁸ The liberalism of the Emperor Akbar

1. Hamilton, *Hedaya*, II, 196. Al Sarakshi, ii, p. 115.

2. *Encyclopaedia of Islām*, p. 710, Aṭ-Ṭabari. op. cit. pp. 1275, 1356.

3. Palsaert, op. cit. Sec. 11.

4. MacLagan, op. cit. pp. 198-99.

5. *Agra Diocesan Calender* 1907, p. 201.

6. MacLagan, op. cit. p. 315, Felix, *Agra Diocesan Calender*, p. 206.

7. J. A. S. B. LXV. 1896, p. 66.

8. *Memoirs*, A. S. B. 1916, p. 174.

permeated into his higher officers and the governor of Lahore was personally present at the opening ceremony of a church in Lahore in 1597 A.D.¹ Lands were granted for their residence and for building churches, chapels and cemeteries. In 1626, Jahāngir confirmed the purchase of a piece of land by the Christians and made it a rent-free 'inām (gift).²

Jahāngir granted another six bighās of land for an Armenian cemetery. Jahāngir once dedicated a property in the name of Lord Jesus which originally belonged to a Hindu. A settlement was started at Patna in 1620, but it did not last long.³ A church was built for the Jesuits at Jaipur⁴ through the courtesy of Rājā Jaisingh (he had already built a Mosque with his money for the Muslims). The Portuguese built a portable church in imitation of Akbar's portable mosque. A Christian could go near a mosque to obtain a hearing and he would obtain an audience if he did not speak anything against the Prophet. Christian bequests to their churches were recognised by the state; Mirzā Sikandar, father of Dhu'l-Qarnain⁵ had made such grants.

Christians were granted the right of making conversion by Akbar. According to the great jurist, Abū'l Qāsim, one of the eight offences which deprived a Dhimmi of his right to protection was an "attempt to seduce a Muslim from his faith." Indeed Akbar's

1. Payne, *Akbar and the Jesuits*, p. 75.

2. *Journal of the Punjab Historical Society*, V, 1916, p. 12; some say this was a grant by Akbar.

3. *Patna Gazetteer*, 1924, p. 73.

4. Maclagan, *op. cit.* p. 324.

A *Globe trotter in India 200 years back*, (Macmillan) p. 40.

5. Monserrate, *Commentaries*, fol. 86 (a), Blochmann, *op. cit.* I. 46.

permission was very bitterly resented even by Mirzā Āzam Khān, though he was an Ilāhian; Jahāngir confirmed this permission subsequently.

But Shāh Jahān and following him his governor Shāiyastah Khān at Dacca gave them permission "to make converts but not of the Muslims".¹ Āurangzeb gave an order which forbade the Hindus from changing their religion for any other but Islām.² The priests were permitted to display various kinds of fire works and artificial lights on the days of their festivals; they carried relics and arranged pompous funerals, and played music in order to attract the people.³ The archives of Āgra, Delhi, Lahore and Goa show that the number of converts was fairly large. Thevenot says that in 8 years' time he converted 15,000 men, while Bernier says that the conversion of a Muslim was not possible; Manucci says that in forty-eight years he had never seen a Muslim becoming Christian.

How is it possible to reconcile the reports of Bernier and Manucci with those of Thevenot. The records of the church regret that the Indian converts were polygamous, they led bad life and were ready to change their faith because of allowances granted to converts, or for petty conveniences enjoyed by a Muslim. It may be concluded easily that conversion of the high class Hindus or Muslims were few and far between.⁴

1. Memoirs A. S. B. V. 1916, p. 157.

2. Farmān, Sept. 7, 1685.

3. MacLagan, op. cit. p. 275.

4. Important conversions numbered only six in the whole empire including two daughters of the Chaghtai family, Muqarrir Khān and one physician of Jahāngir's court. Payne, op. cit. p. 194 and MacLagan, op. cit. pp. 274-3. The two nephews of Jahāngir, converted in 1610 were reconverted soon after.

From the Jesuit records, the period of conversion extends from the year 1599 to 1667 A.D. During this period they had three distinct quarrels with the authorities,

- (a) in 1604 with Qulij Khān, governor of Lahore,
- (b) in 1614 with Jahāngīr for detaining his cargo-ship bound for Makkaḥ, and
- (c) in 1633-35 with Shāh Jahān on the question of the possession of the Hoogli.

So, the period was rather short and interspersed with vicissitudes of quarrels. Further, during the period of famine, they purchased children from famished parents or guardians and converted them especially in Kashmir. Some of the missionaries being physicians were approached by the people for treatment and often at the dying stage. The Fathers at the death-bed of their patients sprinkled water over the dying or dead person and congratulated themselves that "they had saved a soul and thus served God". The large numbers of the converts claimed by Thevenot might be conversions of this type. Contemporary evidences, on the whole, point out that the conversions were generally secret and of low class men who did not change their rituals or mode of life with the change of faith, or they were merely sick-bed or death-bed conversions when, out of necessity, no objection could be made by the people.¹

So far as right to public service was concerned, there are instances to show that there was no actual objection to their recruitment. One Mirzā Sikandar of Aleppo, originally known as Ya'qūb held a high

1. *Storia do Mogor*, III, 198. The *Annual Letter* of 1648-49 refers to purchase of children by the Fathers during famine, pp. 233-34.

position in Ākbar's court. His son Dhu'l Qarnain¹ was a Sūbadār and Maṣabdār during the reigns of Shāh Jahān and Aurangzeb. Juliana was the lady officer-in-charge of the medical department of the harem. A group of Russian slaves was in the employ of the Queen mother² at the time of Ākbar. The Christians generally entered the service of the Mughals in the artillery department; some of the missionaries were employed as teachers. A large number of European physicians and surgeons was found in the employ of kings and noblemen.³ Some time after, when the prospect of conversion receded, the kings of Europe began to employ these clergy men as their plenipotentiaries and they became so many political hirelings under clergymen's gowns scrambling for privileges for their countrymen.

There was no question of imposition of the Jeziah during the reigns of Ākbar, Jahāngīr and Shāh Jahān. Aurangzeb reimposed it in 1669; and the Fathers and other Christians had to pay it like ordinary non-Muslims and they could not claim the "guest's protection" as has been enjoined by the Ḥadīth because of the length of their stay. An instance has been recorded that the Agra churchmen were remitted their arrears of the Jeziah as a favour. The Missions were not rich and they could not pay in favour of poor Christian

1. Authority on Dhu'l Qarnain's life are exhaustive, e.g. *Tūzūk, Amal-i-Salīh*, Terry, Bernier, Tavernier and Manucci.

2. Smith, op. cit. p. 206.

3. Article read by Dr. H. Hosain at the Royal Asiatic Society, Calcutta, May 6, 1940. He mentioned a large number of professional Christian physicians at the Mughal Court,

converts ; therefore, many of them reverted to Islām.¹ In 1686, the Goa authorities sent a mission to the south where Aurangzeb was then staying. The leader of the mission Magalhaeno met Aurangzeb personally, and the Emperor was pleased to exempt the Christians from the impost in the empire. The Farmān of release ran thus :—"Non-Muslims belonging to the religious orders could only be exempted from the tax if they were known to be poor,"² and the exemption of the Fathers rested on this ground of poverty.³ One Parwānah by Aurangzeb dated 1693, and another by Bahadur Shāh in 1707 repeated that the Fathers were exempted from the Jeziah on the ground that they were Faqīrs (recluse). Farrukh Siyar in 1718 and Muḥammad Shāh in 1726 granted exemption to Christians on similar grounds.⁴

Akbar treated the European Christians with consistency, courtesy and generosity. He appreciated their intellectual attainments. He not only granted them permission to build churches and make conversions, but went so far as to adopt the son of a Christian, Ya'qūb of Aleppo, also known as Mirzā Sikandar. This boy was adopted by Akbar on condition that he would not be converted.⁵ This boy, Dhu'l Qarnain, had free access to the harem.⁶ When Jahāngīr came

1. Maclagan, op. cit. p. 123.

2. For the position of non-Muslim foreigners and their goods, consult Bukhari, Bab. *al-Buyu* and *As-Sarakī*, *al-Mabṣūt*, p. 89.

3. Ibid p. 124.

4. J. P. H. S. 1916, pp. 30-36.

5. Maclagan, op. cit. p. 172. Ya'qūb had another son named Sikandar.

6. Some say Dhu'l Qarnain was Akbar's son. Akbar had a Christian wife, but it is not known definitely how many children she bore and who they were.

to the throne, he asked the boy to be converted, but on his refusal he had Dhu'l Qarnain forcibly circumcised and forced him to read the *Kalimah*.¹ But, still he persisted in his faith. As has already been mentioned, Juliana was in his employ as the medical superintendent of the harem and a family of slaves was in the employ of Akbar's mother. Though Akbar was sympathetic, some of his officials were bitterly against them. Qulij Khān, governor of Lahore fixed a day in 1604, for the wholesale seizure of the children and wives of all Christians.

Jahāngir liked Christian paintings ; he was frank and jovial. The Christians took advantage of his frankness and simplicity. They were suspected to have taken some part in the rebellion of Salim against Akbar.² He paid them money for building a church at Lahore. The liberality of Prince Salim was interpreted as his love for Christ and they expected that he would be converted to the religion of Christ. Some Christians in their joy in anticipation wrote that Salim had become a Christian in 1597. Austin Bordeaux said that Shāh Jahān had poisoned Jahāngir because he was afraid that his father would become a Christian.³ On the whole, he was kind to the Christians, if not to Christianity. At Agra, he paid an allowance of five to seven rupees per day for maintenance to each Christian and occasional grants were made for their festivals. At Lahore, he once

1. Payne, *Jahāngir and the Jesuits*, pp. 15-23.

2. *The Din-i-Ilahi*, p. 304.

3. J. P. H. S. 1914.

wanted to know the number of the Christians in the city as he intended to grant charity in cash.¹ But Jahāngir became very angry with the Portuguese because they detained his cargo-ship from Makkah ; so he withdrew all state-help from them and stopped the building of a church at Lahore for which he had already granted lands.² The story of the conversion of the two sons of Dānyāl and their reconversion has already been referred to.

Shāh Jahān was an orthodox Muslim and he had neither sympathy, nor any positive dislike for either the Christians or the Portuguese. He confirmed the purchases of lands by the Christians at Lahore which were resold by Oliveira.³ After the Bengal fracas he officially persecuted the Christians, and closed their churches at Āgra and Lahore. Four hundred Christians were brought from Hoogli to the court and Bering said, "The handsome women became inmates of the seraglio, those of more advanced age or of inferior beauty were distributed amongst the 'Umara ; little children underwent circumcision and were made pages ; many became Muslims."⁴ Those that stood out sternly and refused conversion were 'consigned to hell (prison) to pray to Allāh for the delivery of their souls.' The attitude of the common people was very hostile to the Christians ; the converts were always

1. *Letter to Archbishop of Canterbury*, 1616. Foster's *Roe*, p. 276.

2. *Islamic Culture*, Vol. IV, pp. 306-08.

3. J. A. S. B. XXI, 1925, p. 58.

4. *Storia Do Mogor*, III, p. 179.

All Mardān Khān had a Portuguese wife. It is not known if she was a part of the Bengal booty. Maclagan, *op. cit.* p. 270.

pelted in the street, their services were jeered at and sometimes social stigma was attached to converts. Āṣaf Khān was probably the only noble who was more or less sympathetic towards the Christians.

To summarise, there are on record three instances of official persecution of the Christians in India¹:—by Quliz Khān at Lahore in 1604,² by Jahāngir in 1614 following seizure of cargo ship from Makkaḥ³ and by Shāh Jahān in 1633 following the Hoogli trouble.

Shāh Jahān's persecution of the Christians and Jesuits was to some extent mitigated by the friendly sympathies of his son, Dārā Shukoh. He attended their parties and used to make friendly visits to them as Jahāngir had done.¹ The liberal attitude of Dārā once more lit up the hope of the Christians and they expected his conversion in no time. Manucci says that Dārā died all but Christian. According to him, Dārā died praying for the safety of his soul ;—

"Muḥammad has taken my life,

Oh, the son of God, grant me my life."²

Āurangzeb's relation with the Christians is mysterious. Āurangzeb, who persecuted the Shī'as and the Hindus, was not unnecessarily hard on the Christians. Soon after his accession, he wished Father Busi to accompany him to Kashmir.³ In 1671 A.D. he confirmed the grant of a piece of

1. Lahori, E & D VII, pp. 42-43.

2. *Muḥammad mārā mi-Kushād.*

Ibn Allāh mārā jān mi-bakshād.

3. *Storia do Mogor* II, p. 154.

land granted by Jahāngir.¹ He asked for a Persian translation of the Gospel but it is not known whether he read it or not.² Campbell says that he had a discussion with Āurangzeb and he cited the Bible as his 'authority'; Āurangzeb treated it with respect and kissed it. During the reign of Āurangzeb, there was hardly any official interference with the Christian method of worship. When the Jeziah was imposed on the non-Muslims, the Christians were not exempted. But on Megalhaeno's representation, as has already been mentioned, it was remitted. Except three noblemen, Āmanāt Khān, of Lahore, Shāiystah Khān of Bengal and Wāzir Ja'far (son-in-law of Āṣaf Khān), almost all the governors were inimically disposed towards the Christians. Qādīs particularly took the cue from Āurangzeb and seized the slightest occasion to make searches, to impose fines on them, to send them to jail and when unable to harm them, at least to insult them.³

Position of the Europeans and Christians in the later Mughal period did not depend on the grace of the officials but on their own capacity. They no longer needed the patronage of the officers of the Central Government. The Europeans strengthened their position sometimes by bribe and often by tact. Within 50 years of the death of Āurangzeb, they gathered strength enough to consolidate their political position and ultimately to supplant the Mughal supremacy by their own.

1. J. P. H. S. V. 1916 p. 24.

2. *Annual report*, 1670-78.

3. *Indian Antiquary* XXXV, 1906, pp. 205-6.

APPENDIX B

AL-JEZIAH

A compensatory tax

The Angel Gabriel asked Muḥammad, son of 'Abdu'llāh, to recite¹ :—

“Fight those who believe not
In Allāh nor the Last Day,
Nor hold that forbidden
Which hath been forbidden
By Allāh and His Apostle,
Nor acknowledge the religion
Of Truth (even if they are)
Of the People of the Book,
Until they pay the Jeziah
With willing submission
And feel themselves humiliated.”

The meaning of the word Jeziah :

The origin of word *Jeziah* is *Jaza* which means 'gave satisfaction'.² Evidently this 'satisfaction' or 'compensation'³ has an implication that Muslims had a duty and right to make non-Muslims believe

1. Qur'ān, Surah, V. verse 29.

2. Muhammad Ali in his translation of the Qur'ān (Ed. 1920, Abridged, p. 195 note) says that the *Jeziah* is derived from *Gaza* (he gave satisfaction) and that "the tax is taken from free non-Muslim subjects of the Muslim government as a compensation for the protection which is granted to them, the non-Muslim subjects being free from military service."

3. According to the Hanifite doctors, the tax is called the *Jeziah* because it is paid by the Dhimmīs as a compensation (*Jaza*) for being spared from death; since by payment of the *Jeziah*, non-Muslims purchase their lives and may no longer be killed.

Aghnides. *Mohammedan Theories of Finance*, p. 398.

in Allāh, in His Apostle, acknowledge the Religion of Truth and surrender to Allāh.¹ But if the non-Muslims who had 'surrendered' to the Muslims politically, refused the conqueror's privilege of making them 'believe in' and 'surrender to Allāh', they must pay compensation for such refusal. This compensation is *Jaza* (or *Jeziyah*). The verse quoted above has reference to 'humiliation' also. Humiliation has been interpreted by Al-Kharashī in his commentary on Al-Mukhtasar² to imply that if the Dhimmis suffer humiliation, perhaps they would decide to get rid of it by becoming Muslims,³ and that would serve the purpose of a Muslim because he was commanded 'to spread the message of Allāh'.

Besides this theory of 'satisfaction', 'compensation' and 'humiliation', several other reasons have been advanced by different legists and scholars for imposition of the *Jeziyah* at different periods. They are :—

- (1) punishment for unbelief,
- (2) price for protection,
- (3) rental for residence,
- (4) price for free exercise of religion,
- (5) exchange for military service.

Punishment for unbelief :—As-Sarakhsī remarked

1. For the context of this Surah, Taubah, consult Yusuf Ali's edition of the Qur'ān, p. 447, n. 1280, 1281.

2. Al-Kharashī, p. 441-443.

3. *Jeziyah*—etymologically may be connected with the Aramaic word *Gazita* which was a poll-tax. The Persians after their conquest of Mesopotamia retained the tax. In Firdusi's *Shāh-Nāmāh* the word *Gazit* occurs several times in the sense of a tax (vide Vuller's Ed. pp. 1497, 1541). In Persia, it was pronounced as *gieyat*. Similarly *Kharāj* has connection with Aramaic *Kharga* meaning land tax which was collected in conquered lands by the Sassanians.

that the payment of the Jeziah was a "punishment so long as he (the unbeliever) persists in his unbelief and in order to impress him with degradation of unbelief and power of Islām."¹

Price for protection :—Āl-Māwardī² says that the Dhimmīs by paying the Jeziah became entitled to protection, and therefore they were called the *proteges* (Maḥrūs). The Prophet has said, "The blood of a Dhimmī is as sacred as the blood of a Muslim," and thus the payment of money has been introduced in lieu of protection of the 'sacred blood'.

Rental for residence :—Some scholars wanted to explain the Jeziah as rental for residing in the land of the Muslims. But this view is not sound because if it were a mere rental women, children and monks would not be exempted.³

Price for free exercise of religion :—Some times liberal concessions were made to the Dhimmīs in lieu of the Jeziah and they were allowed to carry on repairs of their temples, worship of idols and similar heathen practices not sanctioned by Islām. The 'Umayyad', Khalīfah and his governor Āl-Ḥajjaj Ibn Yūsuf, in reply to Muḥammad ibn Qāsim's letter from Sind admitted such rights of the non-Muslims because they agreed 'to pay fixed tribute to the Khalīfah'.⁴

Exchange for military service :—Ās-Sarakhsī says that it was expected that the Dhimmīs residing in

1. As-Sarakhsī in Mabsūṭ (Chap. X) has given a detailed narrative of the Jeziah.

2. Al Māwardī. op. cit. pp. 246-47.

3. Al-Kharashi, p. 442.

4. *Chach Nāmāh*, pp. 168-169, Karachi Ed, Tr. by Kalich Beg.

in a Muslim state, must be ready to defend it, but being non-Muslims they were not trusted to do so 'lest they should be inclined to assist the enemy'. So their personal service in the army was converted into contribution for expenses of the Muslim army. Caetani in his *Annali dell' Islām* says¹, "From Papyri, dated 30 to 90 Hijri, it appears that the Jeziah was intended for payment of the army." Caetani's observations are supported by a letter of Ābū 'Ubaidah, the Ārab general of Khalīfah 'Umar, who ordered the governors of the conquered cities of Syria to return the sums collected as the Jeziah, and on this occasion he wrote to the people thus, "We give you back the money that we took from you as we have received news that a strong force (army of Heraclius, the Roman Emperor) is advancing against us. The agreement between us was that we should protect you, and as this is not in our power, we return you all that we took. But if we are victorious, we shall consider ourselves bound to you by the old terms of agreement." Again, when the people of Cyprus offered the Jeziah to Khalīfah 'Umar, he refused the offer on the ground that "the conquest was till then not final and that till then he could not guarantee their protection." Aṭ-Ṭabarī says, "If non-Muslims render military service of their own will, they are exempted from it during the years of active service. There is an instance when 'Umar exempted a Dhimmī from payment of the Jeziah for his whole life, because he had marked a spot where a well was sunk."²

1. Caetani, *Annali dell' Islām*, Translation by Arnold, v. 5, p. 449.

2. Covenant of 'Umar as preserved in *Kitāb-u'l 'Umm* for details. Aṭ-Ṭabarī, op. cit. I. 2497.

Who are liable to pay the Jeziah ?—According to the verse quoted in the beginning from the Surah *Taubuh*, literally the Jeziah was to be imposed on those who did “not believe in Allāh, Last Day and in Muḥammad, the Rasūl, and who did not forbid what Allāh and his Rasūl have forbidden, and who do not follow the religion of Truth” (Islām), even if, “they are of the people of the Book”, that is, from amongst the “receivers of the Scriptures”. By receivers of scriptures are meant the Jews and Christians, and the Prophet extended the term to include fireworshippers also. But there is no mention of the idolators amongst the list of the prospective contributors of the Jeziah. Imām Shāfi’i actually said, “The Jeziah may be accepted from the Christians, the Jews and the fire-worshippers but not from the idolators in as much as the above mentioned verse refers only to the first two and the Prophet extended its scope to the fire-worshippers also ; but the idolators are left out entirely.” Really, the original Arab idolators were not to pay the Jeziah on the ground that “the Prophet was sent amongst them and miracles were performed before their eyes”¹ though on the same ground the Jews and Christians who had witnessed the miracles of the Prophet were not exempted. But Abū Ḥanīfah says² than all non-Muslims are of one category and therefore, it was lawful to take the Jeziah from all unbelievers.³ Khalifah ‘Umar accepted the Jeziah even

1. Abū Yūsuf, op. cit p. 73. *Bulletin of John Rayland's Library* 1926

2. Abū Ḥanīfah went so far as to say that renegades need not pay the Jeziah because “They have turned into unbelief after having once believed in the beauties of Islām.” Aghnides, op. cit. pp. 400—407.

3. Shaibāni, *Al-Aḡl*, Vol II. pp. 141-142.

from the Berbers in Africa and Khalifah Ābū Wālid from the Brahmans of India. Whatever might be the meaning of the Revelation referred to above, the practices of the Pious Khalifas clearly demonstrated that all non-Muslims who surrendered were tolerated as the *protected* and were required to pay the Jeziah.¹

Persons exempted from imposition were² children, and the insane, old, sick, blind and cripple' because they were not physically fit to assist in the defence of the state. But Ābū Yūsuf says that the blind and the cripple persons who possessed property should be required to pay the Jeziah, because they should assist the defence of the state by contribution of wealth. The indigent who were not engaged in any business were not subject to payment. The recluse who had retired from the world and were living in churches and monasteries were not to pay. According to Ābū Ḥanifah and Ābū Yūsuf, monks were subject to payment if they could work, but Imām Shāfi'ī³ includes any "Dhimmi who is of age, of sound mind and of free status, the priests, the senile, the old people, the paralytics etc. included." As regards the indigent one extreme view pleaded that he had no right to stay in a Muslim country because he could neither work, nor pay for the defence of the state. Why should the state permit such a drone to eat upon the labour of the Muslims? Slaves were exempted from payment of the Jeziah, because they had no legal status, nor was the Jeziah paid by their masters on their behalf. But, indirectly the owners of slaves paid the Jeziah because the rate of imposition increased on account of their possessing

1. Hadīth. Ibn Mājah, Bab. 41. Ṭirmidhī, Siyar, Bab. 31.

slaves. The jurists did not discuss the problem whether the retention of Muslim slaves by a Dhimmi would increase the rates of the Jeziah. Probably the question did not arise in Arabia, though it was common in many other Muslim countries.

Different kinds of Jeziah :—(1) by agreement, (2) by force arms.

The Jeziah by agreement :—The Prophet set examples of imposing the Jeziah by agreement when he made arrangement with the people of Najran that they should pay annually in two instalments of two-thousand dresses of two pieces each, whose value was eighty-thousand *dirhams*. The Prophet, a merchant as he was in his early life, was naturally very particular about contracts and he always insisted upon his followers to respect covenants. Imām Shāfi'ī held that the Jeziah once fixed by a treaty could be changed provided that the rate *per capita* must on no account be less than one *dinar*² per head under compulsion.

The Jeziah by force of arms :—The Muslim conqueror after the conquest of a place by force of arms, had a right to impose the Jeziah upon the non-Muslim population.¹ Khalīfas like 'Umar, 'Uthmān and 'Alī imposed such contributions upon the non-Muslim population of newly conquered territories. The rate fixed by them was approved by the

1. Abū Yūsuf, op. cit. vol. IV p. 98. Hasan al-Basri said, "Monks pay no Jeziah because they are poor and have left the world." In the treaty of Ishoyabah it was agreed that "the priests and monks shall not pay tribute." Ibn 'Abdu'l Ḥakam says, "Monks pay no taxes, for the Dhimmīs have to bear the tribute of those of them who turn monks." Ibn 'Abdu'l Ḥakam, *Fuṭūḥ*, Misc. p. 156.

2. Quoted by Māwardī, *Muqaddimah*, pp. 246, 250.

3. Al Kharashī, p. 443.

4. 1 dinar=12 dirhams ; 1 dirham=three annas ;

Sahābis (Companions of the Prophet) and by the 'Ijmā (consensus of opinion).

Rate of imposition :—This was a knotty problem. The Jeziah might be imposed on the whole community of the Dhimmīs *per capita* individually or collectively, on all lands or on each portion of land, to be realised from the holder of the land individually. The imposition might be redeemed either by payment in cash or by payment in kind.

Payment by cash :—The rate of imposition was fixed by Khalīfah 'Umar at 48 Dirhams for the rich, 24 for the middle class and 12 for the poor who earned their living by personal labour. In the commentary of Tahāwī, there is a classification of Dhimmīs according to wealth.¹ He that possessed ten thousand dirhams or more was rich; owners of two hundred to ten thousand dirhams regarded middle class men; and people who earned their living by their own labour but possessed less than two hundred dirhams were said to be poor. There is another classification where the rich were those who had more than enough and who could afford to be idle. He that had enough for the family and for himself was called middle class. He that worked for his bread was reckoned as poor. Imām Shāfi'i was of opinion that one dinar should be the minimum per head while the Minhāj² permitted the conqueror to bargain with the conquered for a better rate. Ordinarily, the rate once fixed could not be

1. Aghnides, op. cit. p. 403. 48 Dirhams is equivalent to Rs. 9 or 12s approximately.

2. Minhāj, Vol. III, p. 279.

altered. Khalil says that reductions were permissible for reductions in income.

The amount of the Jeziah might be consolidated into a lump sum in cash or goods to be paid by the Dhimmīs separately on lands they possessed, or collectively by the whole population or *per capita*. If the number of heads decreased by death, conversion or emigration, the amount of contribution was reduced proportionately; if the heads subsequently increased the amount was restored.

But, on the whole, the information regarding the rates of the Jeziah is conflicting. In the lands where currency was in gold, the rate was 48, 24 and 12 dirhams; in silver-standard countries like Syria and Egypt, the rate was 25% higher. The views of four legists differ fundamentally :—

Imām Ābū Ḥanifah fixed the Jeziah at 48, 24, 12 Dirhams according to wealth.

Imām Aḥmad ibn Hanbal left the rates to the discretion of the ruler though he fixed the minimum at 12 dirhams.

Imām Mālik fixed the highest rate at 40 to 48 dirhams according to the standard of currency.

Imām Shāfi'i fixed the rate at 18 dirhams on the rich and poor alike.

Why was this difference in rates? Possibly, these differences were due to the fact that the Imāms took into account the conditions prevailing in the countries in which the Dhimmīs lived.

Imām Shāfi'i recommended the banishment of those Dhimmīs who were too poor to pay even the minimum rate. Āsh-Sha'rāni says that they should be

excused payment.¹ Yahya pleaded that relief should be given to those who could not bear the graded tax.²

Payment in kind:—The conqueror might make a provision in the terms of payment of the Jeziah for entertainment of Muslim travellers who might stop in the city or village of the Dhimmīs. They were to be entertained by the Dhimmīs at their own cost. In fixing provision for number of guests or horses, the period of stay was specified. Rich or poor, everyone was bound to maintain Muslim guests, but medical relief or bath was not provided for. On no condition could a Dhimmī be turned out of his house to make room for a Muslim guest. Consolidated payment might also be made in kind by the community of the Dhimmīs of a particular locality as the Prophet himself allowed the people of Najran to pay yearly 2000 *Hullas* (dress) of two-piece each, each *Hulla* being worth 40 dirhams. 'Alī accepted ropes and needles as the Jeziah. Carcases, wine and pigs were not accepted though they might be sold by the Dhimmī in order to pay the tax.³

Mode of Collection and Payment:—According to Imām Ābū Ḥanifah the Jeziah fell due at the beginning of the year though it should be collected two or three days before the year wore out, preferably on the eve of Ramḍān. Ābū Yūsuf maintained that the

1. Ash-Sha'rānī, *Kitābu'l Mizān*, II, p. 161.

2. Yūsuf, p. 9. Payment was made by halves and quarters. Rainer quoted from a Papyri that in 195 A. H. a baker in Egypt paid 1/2 dinar (670 A. D.); 5 men paid 7-1/6 dinar; 44 men paid 108 2/3 dinars.

3. Ash Sūlī, *Ādab-u'l Kuttāb*, A. H. 1341, p. 215.

amount should be collected in instalments every two months, while Muḥammad Ibn Ḥasan preferred collection every month, thus the Dhimmīs might be relieved of the burden of paying a large amount at a time ; on the other hand Muslims might be benefited by receiving regular contributions. Both Imāms Shāfiʿī and Mālik opined that there should be one payment annually¹ according to lunar year. While the Jeziah would be collected the Dhimmīs were made to stand and the collector to sit. The Dhimmī must wear a distinctive dress which might distinguish him from a Muslim. Ḥaghnides says,² "During the process of payment the Dhimmī is seized by the collar and vigorously shaken and pulled about in order to show him his degradation ; and he is rebuked, Oh Dhimmī, Oh Enemy of God, pay the Jeziah." He is not allowed to pay the Jeziah by proxy, for, by this he might avoid humiliation, behind the imposition and "thus defeat one of the prime objects of the Jeziah."³ But both Ḥabū Yūsuf and Muḥammad Ibn Ḥasan agreed that payment by proxy might be allowed. The tradition says that ʿUmar sent two men ʿUthmān Ibn Ḥanīf and Ḥudhayfa to Iraq to assess the Jeziah and "they sealed the necks of the Dhimmīs." Ḥabū Yūsuf says that the sealing of necks was done at the time of collection of tribute. After collection the seals were broken.⁴

1. Mabsūṭ. X, p. 32.

2. Ḥaghnides—op. cit. p. 407.

3. Humiliation of the non-Muslims in India was advocated by the Qāḍī of the court of ʿAlā-u-d-Dīn thus. "When the revenue officers demands silver from them (Hindus), they should without question, and with all humility and respect tender gold. If the officer throws dirt in their mouths, they must without reluctance open their mouths wide to receive it.....the due subordination of the Dhimmī is exhibited in this humble payment, and by throwing dirt in to his month." *Tārīkh-i-Firūz Shāhī*, E. D. III. p. 184.

4. Ḥabū Yūsuf—op. cit. p. 72.

In every country conquered by the Muslims, the Jeziah was a part of its administrative process—for reasons psychological, religious and financial. Psychologically speaking, it gave the Muslim a satisfaction that he had vindicated the superiority of his arms and the acceptance of the Jeziah was a permanent recognition of his conquest by the conquered. Religiously speaking, the imposition was regarded as a part of the fulfilment of his duty as a Muslim because the Jeziah was revealed in the Qur'ān, it was sanctioned by the tradition of the Prophet and it was scrupulously followed by the Pious Khalifas and their successors. Financially, the very existence of the early Muslims depended on what they received by way of contribution from the non-Muslim subjects, because at the beginning, Muslims could not pay anything but the Zakāt which, too, was utilised for the relief of the poor; payment of the Kharāj by the Muslims came much later. An idea may be formed from the lists given below of the amount which came from the non-Muslims by way of the Jeziah :—

About 250 A. H.	Baghdad paid approximately—
	120,000 Dirhams,
„ 254 A. H.	Egypt paid approximately—
	48,000,999 Dirhams ¹ .

These figures indicate the huge amount that the Muslim treasury received from the non-Muslim contribution and they could ill afford to lose it. Occasional acts of grace on the part of individual rulers are also on record. Khalifah Ma'mān was kind to the people of Edessa, and he remitted all their contributions.

1. Ibn Khurdādh Bay, *Kitāb al-Mamālīk wa'l Masālik*, p. 83.

In India Muḥammad Ibn Qāsim remitted the Jeziah on the Brahmans because they helped him in discovering Ladi, the queen of Dahir, king of Sind and his two daughters Parimal Devi and and Surji Devi.¹ Further, as a community they rendered immense services in popularising the Arab rule in Sind by accepting service under the Arab conqueror.² Firūz Tughlag levied the tax on the Brahmans because 'they were the very keys to the chambers of idolatry and the infidels depended on them.'³ Akbar's remission of the Jeziah is a classical example of remission of the Jeziah on the entire community of the Dhimmis as much as Aurangzeb's re-imposition of the same after remission.

1. *Chachnāmāh*, Karachi Ed. of Kalichbeg—p. 164.

2. *Ibid.* pp. 165-167.

3. *Tārikh-i-Firūz Shāhī*. E. D. III, p. 365.

CHAPTER VII

SOME NATIONAL AND LIBERAL ASPECTS OF THE MUGHAL ADMINISTRATION

Difficulties for an orthodox non-Arab Muslim to be a nationalist and patriot in his own country as well as remain loyal to the Arab institutions, are too many. Islām makes a follower feel that he is a Muslim first. The Arabs took advantage of the founder of Islām being an Arab and they wanted to maintain the Arab tinge of his religion. The process had already been facilitated because the Ka'bah in Makḥah was defined as the centre of religion for all Muslims. Pilgrimage was made compulsory and the place of pilgrimage was Makḥah which was a religious centre of the pre-Muslim Arabs too.¹ Thus, a common geographical centre was provided in Arabia for all Muslims which helped the growth of an Arab territorial sense in Islām and it became a tremendous obstacle to the growth of a patriotic sense amongst Muslims in other parts of the world. Every Muslim looks upon being a "Ḥājī" (Pilgrim) as a religious duty of his life and the "Ḥājī" offered an opportunity to the Arabs to develop a pro-Arab feeling amongst all Muslims. The Arabic language in which the message of Allāh was revealed to the Rasūl and the continuance of the same language as the vehicle of the prayer helped

1. Position of Makḥah and Ka'bah in the Muslim circle has been well defined by the great German scholar Farmer, in his book *The Arabian Music*, Chapter II.

the growth of a common language, which the orthodox Muslims regard as the natural language of God and man. Every Muslim whether he understands it or not, must say his prayers in Arabic. Imām Abū Ḥanīfah and Aurangzeb were possibly two of the few Muslims who suggested a change in the language of prayer; but they had not the courage to make that change.¹ In spite of Muḥammad's universal appeal, at a latter period, the early Arabs took full advantage of the national aspect of the Arabian religion, namely, common object of worship (Allāh, a pre-Islamic Arab deity now made an Absolute One), common centre of religion Makkah in Arabia and common the Arabic language, and they have thus impeded permanently the growth of extra-religious feelings of nationalism² and patriotism in other parts of the Muslim world.

1. Bernier, *Travels*, p. 156. Imām Abū Ḥanīfah opined that prayers may be said in any language, but none does so. The Wahhabys also attempted the vernacularisation of the Khuṭbah.

2. The words Nationalism and Patriotism have been used in their modern accepted connotations.

Prof Sherwani is of opinion that Islām as preached by Muḥammad was meant to be international and not a national religion of any country, as his Arab followers are alleged to have tried to do. Muḥammad often addressed 'Mankind' as *Yā ayyuhan-Nās* and 'Children of Adam' *Yā Banī Adam* and never he addressed the Arabs alone; amongst his companions, Ṣāhibis, hundreds came from Rum, Iran and Abyssinia and in fact, the country of Ṣāhibis was international. But it cannot be overlooked that Qu'rān made provisions for separate "Nations and Tribes." In Surah 49. V. 13, it is definitely said, "And we have made you nations and tribes that you may distinguish one another." It is true that Muḥammad addressed the entire human species, at least in the latter period of his address but the Arabs used Islām to their advantage and made it more or less an Arab religion by retaining the supremacy of Arab elements in it. None but an Arab according to an important section of Muslims, could be a Khalīfah; the seat of the Khalīfah was to be in Arabia. Timūr was branded as "profane" when he transferred the seat of the Khilāfat from Baghdad to Samarqand. There is no doubt that historically, still now Arab elements predominate in Islāmic sociology all over the world,

Inspite of this limitation in Islāmic way of thinking, human nature could not be changed completely. The Muslims in different parts of the world being guided by political and economic interests of the state, or being guided by ties of tribe and society, developed feelings and created traditions which may fairly be termed national and patriotic. In purely secular matters, religion was, more often than not, pushed to the background by the Muslims in many countries outside Ārabia ; necessity for preservation of the throne found these rulers in alliance with peoples who were *Infidels* and *Kafirs*. Biological urge compelled them to seek alliances in their own way with women other than 'the people of the Book'.¹ Humanitarian instincts often prompted them to extend help and patronage to the peoples of other religions. Sense of aesthetics brought them into close touch peoples 'profane' in the Muslim sense of the term. Love of culture and natural assimilative tendencies innate in man, made them fuse together Islāmic culture and 'infidel culture' inspite of their professions to the contrary.

The Mughals in India, though they had accepted the religion of Ārabia, did not associate themselves with Ārab social traditions entirely ; being without very deep-rooted heritage, the Mughals could easily adjust themselves to the environment in which they found themselves ; they settled down in India and felt that they were not only rulers of India, but that they also belonged to India. The Mughals, like many

1. Muslim law permits marriage of Muslims with non-Muslims, but only with peoples who "have received scriptures".

of their Turko-Afghan predecessors looked upon Hindusthan as their own land.¹ They were born in India, they lived in India and they died in India. No Indian Muslim Sulṭān ever went on a pilgrimage to Arabia. Few of them had any sense of extra-territorial patriotism—they did not look upon Ghazna, Ghor, Samarqand, Kabul or Badakhshan as their home, and India as a land of sojourn. Of course, they took pride in their tribe, the word Irānī or Turānī was used as much to signify their association with the place from which they came as to specify the tribe from which they descended.² India-born Muslims called themselves Hindustānī, and they associated themselves with the place of their birth, such as Shaikh Mubārak with Nāgor, Ābdu'l Qādir with Badā'un, Ābdu'l Ḥamīd with Lāhōre and those born of mixed blood were not looked upon in any way degraded for their birth.³ All that was earned in India was spent in India and the country was not drained of her wealth. Of course, each and every Indian was not rich individually because wealth was unevenly distributed, but there is no doubt that India under the Mughals was rich. There seem to

1. When Muḥammad Gawan was opposed in the Bahmani Kingdom, the party division was between Hindustānī Muslims and Irānī Muslims. It was a common feature after 1707 A.D. to see Irānī, Turānī and Hindustānī feuds at Delhi. Prof. Sherwani's *Muhammad Gawan, the great Bahmani Wazir*, pp 156-71.

2. Previous to Timūr, the Mongol Kingdom was always divided amongst sons of monarchs according to tribe, and not according to territory. Tripathi, op. cit. p. 106.

3. Mixed blood of Firūz Tughluq was no bar to his accession though at the time of Bahlu'l Lodi's nephew, an opposition was offered on grounds of mixed birth. Nor were prince Salim and Shāh Jahān opposed because of their mixed blood,

have been not many obstructive laws against any community in matters of trade and customs except some in the the reign of Aurangzeb when he imposed a custom duty of five to ten per cent on the non-Muslims. Rather the Mughal Law of Escheat *i.e.* (Bāj-yāftan) hit the Muslim aristocracy hard.¹ Almost the entire property of a Muslim manṣabdār was liable to be confiscated immediately after his death leaving just enough for the bare maintenance of the family and children. The son of a deceased lord must begin afresh and build up his position by his own effort and capacity. The Hindus were exempted from the application of this law of escheat though they were liable to contribution on succession. The custom of payment of Zakāt did not apply to the non-Muslims.

A great unifying factor in the Mughal administration was the system of common administrative laws. The Dastūr-u'l-Āmal² and the Āhkām were applicable to all irrespective of caste or creed. Except where it was not specifically mentioned for any particular area or people or event; Ā'ins (Regulations) were intended for all subjects of the state. Another factor of unity was the Mughal civil law. The Muslim civil laws of contract and evidence were applicable to both Hindus and Muslims. -Of course, it was a legal disability to the Hindus, but its redeeming feature lay in the unifying effect which the system produced. So far as the laws of inheritance,

1. Faruki, op. cit. p. 164. Sir J. N. Sarkar, *Mughal Administration* pp. 20-24. Ed 1920. Aurangzeb discontinued the Law of Escheat.

2. *Dabistān-i-Madhāhib*, III. pp. 121-38 (Tr.).

marriage and other social laws regarding *Sati*, *Devdasi*, widow, etc. were concerned, the Hindus were allowed to be governed by their own.¹ In villages the social structure was allowed to remain intact under its own caste, guild and Panchāyet system. To the credit of the Mughals it must be said that they did not make any conscious attempt to kill the soul of the people whom they conquered as many other nations have done in different lands over which they ruled. It was a feature of the Arab conquest that the Arabs attempted to Arabianise the countries which they conquered and their conquests were thorough as we find in Persia, Iraq,

1. Whatever Aurangzeb might have done in practice, his *Fatāwa-i-‘Almgīrī* propounded some principles of freedom for the non-Muslims. Let us repeat what it says, “Dhimmi, do not subject themselves to the laws of Islam, either with respect to things which are of religious nature such as fasting or prayers, or with respect to such temporal acts as though contrary to Muhammodan religion may be legal by their own, such as sale of wine or swine’s flesh, because we (i. e. Muslim jurist) have been commanded to leave them at liberty in all things which may be deemed by them to be proper according to the precepts of their own faith.” See ante, pp. 237-38.

On the other hand, the covenant of ‘Umar as preserved in the *Kitāb-u’l Umm* says: “You (Dhimmis) shall be under Muslim laws and no other.....we shall scrutinize your dealing with Muslims and if you have done anything unlawful for a Muslim we shall undo it and punish you; e. g. if you have sold to a Muslim any forbidden thing as wine, pigs etc. we shall annual the sale.....we shall not scrutinize nor enquire into your contract between you and any other unbeliever. You shall not display in any Muslim town the cross nor panade you idolatry, nor build a church.....nor use your idolatrous language about Jesus to any Muslim. You shall wear the Zunnār above your cloths.....you shall not take the crest of road nor occupy the chief seats in assemblies when Muslims are present”. *Kitāb-ul Umm*, 4, 118.

Asia Minor, Afghanistan and Egypt over which they super-imposed not merely their religion but also their language,¹ manners and customs. But the Turks were themselves converts; they refused to accept the social system that accompanied their religion of adoption, and always made compromises with the peoples whom they converted. In fact, Indians being converted by the converts, there remained many gaps between the two, and the calcification helped natural adjustments.

In other matters, the principles and procedure of Muslim penal code were applied in general. But, in time of actual application, innumerable difficulties arose. Hence, we find attempts made by successive Mughal rulers to modify them. Akbar, Jahāngīr and Shāh Jahān,—all of them made their own laws for suppression of crime and regulation of punishment. Finally, Aurangzeb drew up his famous *Fatāwa-i-Ālamgīrī* which was a digest of laws of crimes as much as of the law of religion. The Judicial Proceedings, that have been preserved in the Imperial Records Office at New Delhi offer very interesting instances of legal procedure during the last period of the Muslim rule. By gradual process, Hindu social institutions found a permanent place in the Mughal judiciary side by side with the

1. Linguistic imperialism was a special feature of Arab conquest. From Morocco to Afghanistan wherever they conquered and ruled, they Arabianised the language of that country. Even Persia which had a great language had to Arabianise her language by adopting the Arabian script.

Sind, conquered by Arabs, changed her script, the Sindhi is the only Indian language which is written in Arabic script.

Mughal laws and institutions.¹ The Indian aspect in the personal life of Mughal emperors was very prominent in their adoption of Indian dress. Instead of forcing a separate dress upon the non-Muslims in order to distinguish them from the believers, as was the custom with some of the Arab conquerors,² the Mughals often adopted the dress of the conquered people. The Shāhān Shāhyat (*Imperii*) of the Mughals was not in any way humbled and disgraced when they adopted the insignia of royalty of the conquered people. The jewelled crown, golden throne, diamond ring, silken umbrella, pearled necklace, gold faced shoes, and emerald foot stool (*pabos*) were borrowed from outside and they were Indian. The Rājputs adopted many customs of their masters and friends. The Mughal emperors distributed Khil'ats (robes of honour) to the favoured grandees but they were of the same pattern for both Hindus and Muslims.³ Social functions, especially marriages and inter-marriages wherever celebrated, gave opportunity for reciprocal adoption of ceremonies. The Hindu festival of Rākhi Bandhan (binding of knots on hands as a mark of friendship) was very much appreciated by the

1. Baillie, *Digest on Muhammotan Law*, p. 17. see MSS. Records of Judicial Branch under entry No. 1-6. *Law Commission Report of 1835* and Maccaulay's Ms. Minutes in that connection.

2. Aṭ-Ṭabari, *Annals*, III. 1387. Mutawakkil forbade the non-Muslims to wear the same dress as the Muslims. Dhimmis were ordered to fix wooden devils to their houses so that they might be easily distinguished. See ante, pp. 234-35.

3. Both Shāh Jahān and Aurangzeb issued orders prohibiting Hindus from adopting Muslim dress. But the paintings of the time of those emperors reveal that inspite of the orders to the contrary, dresses worn by the Hindu and Muslim grandees were almost similar.

Mughals. Hamāyān was a Rākhi-band Bhāi of the family of the Rānā of Chitor; the Bandelas and Shāh Jahān's family exchanged gifts on birthdays. In food, specially in preparation and in the manner of taking it, the mutual influence was confined to the aristocracy though they did not dine together. On occasions of the joyous festivity of the 'Id or marriage, the aristocrats enjoyed the same wine cups, musical soirees and dancing parties. The Kāyasthas as a community were so much influenced by their Muslim masters that it was sometimes difficult to distinguish them from the Muslims by a casual observer, specially in the centres of Mughal influence.

In an atmosphere of religious intolerance, even a minor instance of toleration has its own significance and it was so in the Mughal empire. The main plank, on which the members of different communities in the Mughal India met, were the common festivals. Bābar was averse to having any social intercourse with the peoples in India; his regrets are eloquent in his Memoirs. But Hamāyān felt it an honour to establish the relation-ship of Rākhi Bhāi (राखी भाई—brother by courtesy) with the dowager Rānī of Chitor. Akbar went a step farther and included the festivals of the different communities within the list of the holidays of the Empire.¹ The Hindu festivals of Rākhi, Baiśhākhi, Dasherā, Shiva-rātri, Holi, Basanta-Panchamī,—the Muslim 'Id, Ramaḍān, Shab-i-barāt, Chehlum, Pūtiha-i-Doāzlaham, the Persian Minālvazār,

1. Author's lecture in Muslim Institute, Calcutta, A.P. Patrika, Calcutta, August, 14, 15, 1936.

2. *The Din-i-Ilahi*, pp. 147, 151, 155, 156, 304.

Naw-rūz, Āban—the Parsee Ārdibisht, Khordād, Bahman,—the Christian Christmas, Easter and Michael Mass were enjoyed by the people of the empire and the Mughal emperors utilised them as occasions for social re-unions and meetings.¹ They had their peculiar method of enjoying the occasion as for example, Jahāngīr celebrated the occasion of Dasherā by a review of troops. Sometimes the Mughal rulers paid for the celebration of profane festivals.² These social unions on festive occasions had a significance of their own.

On the days of the 'Id, royal charities were distributed to the Hindus and Muslims without much distinction³ which maintained the national character of these festivals. On the occasion of the birthday of the Emperor, his Majesty's august person was weighed against gold and silver which were then distributed amongst the learned and the poor and amongst the favourites of the court.⁴ Irrespective of creeds⁵, Khil'ats were distributed, honours were

1. Payne, *Jesuits at the court of Akbar* pp. 32, 33, 46, 47, 75. These festivals were enjoyed by the Mughals not from policy as was done by the E. I. Co. in the early days of rule when they sent *Pūjās* to the *Kālighāt* temple, or sent soldiers to accompany *Tāsiās* at the Muḥarram and to follow immersions of Hindu idols. The spirit behind the Mughals and that of the Britishers were different. With the British it was a policy, with the Mughals it was a real appreciation.

2. Tuzūk, pp. 280, 319. (Text). Payne, *Akbar and the Jesuits*, p. 325; Withington, *Early Travels in India* edited by Foster, p. 223.

3. Ibn. Hasan, op. cit. pp. 293-99.

4. Abu'l Faḍl, Ā'in. No. 19. considered four classes of people who deserved grants of *Sayurghal* lands; and no reference to religion is found in that classification (Blochmann, p. 278).

5. Abdul Kadir, *Muslim Review*, Calcutta, III. pp. 36-38.

conferred and lifts in rank were given after important victories and on the birth-days of royal children. The birth day of the Emperor was treated as an Empire Day throughout the realm when prisoners were released, honours and presents were offered to the nobles, and promotions in rank were declared all over the country.

In the field of education, there are instances when the Muslims attended schools taught by Hindu teachers and Hindus attended Muslim schools, though the latter practice was more in vogue and a cultural approach was thus facilitated. Though Hindustānī was the language of the royal household, Persian was the common official language of the state. Local languages were not interfered with. Marathī, Hindī and Bengālī were often patronised by the Muslim rulers. Some Bijapur Sultāns composed entertaining poems in Marathī and Telegu. 'Ādil Shāh substituted Hindī for Persian as a court language, so says Feristah.¹ Urdū or Hindustānī were freely used by the common people both Hindu and Muslim in the north. Language was a great factor of unity in Mughal India. In spite of the imperialism at the centre, the Mughal government did not interfere much at the extremities.² Education was not a

1. Ferishtah, op. cit. ii. p. 27.

2. Mohsin Fanī says that the control of the Mughal empire at the extremity was thorough. Every egress and ingress into the village was to be reported to the authorities. News-writers (Waq'ia-Navis) were very prompt in sending despatches. But this control related to the matters of political disobedience or withholding of revenue. Ordinarily local autonomy was maintained in villages through the *Panch*, guild and caste. *Dabistān*, II. pp. 121-38. (Trans).

government concern ; though royal patronage was extended to the Maktabas and Madrasas, individual Hindu poets and litterateurs received patronage from the state as has been mentioned already. The official titles for Hindu poets were Kavi Rāi, Mahā-Kavi Rāi and Mahāpātra. Loyalty to the throne was the basis of the civil rights in the Mughal Empire and not loyalty to religion alone. Thus developed a new synthesis in the conception of the Muslim ideal. Akbar had to introduce a new form of oath, called the Oath of Fealty by which every Āmīr, both Hindu and Muslim, was asked to swear allegiance to the throne by declaring his readiness to sacrifice his *property, life, religion, and honour*.¹ Ultimately, it was incorporated into his Dīn-i-Ilāhī. The privilege of state-service was not the monopoly of the followers of the Faith but was extended to all subjects of the state. Non-Muslim subjects were recruited into the army and more so in the department of finance. But this privilege of state-service was practically a close preserve for the Rājputs, specially because every post in every department was attached to the army and every Rājput was, by birth, a soldier. Further, it was an advantage to the Rājputs that they were nearer to the seat of the central government and were easily available. Akbar as well as Ābū'l Faḍl were believers in the divine right of monarchy and in the nobility of blood. Generally the Rājputs

2. *The Dīn-i-Ilāhī*, p. 240, Badā'unī connected them with Akbar's Dīn-i-Ilāhī, but it is wrong.

attracted Akbar by their nobility of blood, by their hereditary association with the government of the country and by their tradition of military service. Every post, however low, carried a military rank with it except that of the Qaḍī.¹

Rājputs being traditionally a military community were benefited by the privilege of state-service. Matrimonial alliances raised some Rājput houses to the position of 'King's Caste'. In the selection of Hindus for high posts, Akbar almost always sought Hindu royal houses. High ranks in the army when offered to the Hindus, were reserved for the high class Rājputs. Other classes of Hindus held humble jobs. Pelsaert in the Report on Jahāngir's India says that he found Hindus as

- (1) clerks and brokers,
- (2) merchants and jewellers,
- (3) artisans of all kinds except dyers and weavers,
- (4) salesmen and agents of big Muslim merchants and their subordinates.²

The middle class in Mughal India included teachers, theologians, astrologers, physicians, merchants, some skilled artisans, lower class government servants and they were both Hindu and Muslim.

Sir Jadunath says that Hindu genius found no

1. There is only one instance of a Qaḍī holding a military rank, e. g. Jahāngir's Ṣadr Jahān, *Ma'āthiru'l Umarā*, III. p. 349-50.

2. Pelsaert, op. cit p. 77. Clerical posts were generally filled up by the *Kāyasthas* who were traditionally connected with pen. They often claim racial connection with Kshatriyas of Northern India. In Mahratta country these posts were filled up by the *Prabhus*.

expression during the Mughal period, and he regretted that the Hindus were "hewers of wood and drawers of water."¹ He suggests that this abject position of the Hindus was due to the systematic anti-Hindu bias of the Mughals. Dr. Ishwari Prosad opines that a society which produced such brilliant saints as Tulsidās, Surdās, Kesabdās and Chintāmaṇi, architects like Sanwaldās, Daswanāth, Bāswan and Jagannāth, musicians like Tānsen, Haridās and Janārdan Bhatt, and physicians like Chandra Sen could not be regarded as absolutely barren. It may be that imperial patronage was not as methodical and systematic as one might expect under modern conditions; may be, there was more of indifference than positive animus against the intellectual activity of the Hindus in general. But to say that the Mughal policy was absolutely anti-Hindu throughout, is to do scant justice to the Mughal Emperors. The Mughals did not, as was usual with the mediaeval states, take any initiative in fostering genius; but if they found any, they did not fail to recognize it in their own way.

● Attitude towards the religion of the non-Muslim subjects depended on the mentality and the outlook of the individual Mughal rulers. There was nothing consistent, no well laid plan; logic and whims worked intermittently in the Mughal state. The Qur'ān in clear terms says, "There is no compulsion in religion;"² "The truth is from your Lord. Let him who

1. Sarkar, Aurangzib, Vol. III. pp. 297-99. Ishwari Prosad, *Medieval India*, ch. xii

2. Qur'ān Surah, 2, verse 256. - *Lā ikrāhā fi'ī'd-Dīn*.

will, believe, and let him who will, reject (it)" and "To you is your faith and to me is mine". There were some rulers in Islam who were animated by the spirit. 'Abū Bakr and 'Umar might be objects of glory and pride of any nation of any age. But it cannot be denied that the Arab spirit of war, their tribal instincts, quarrels over personality and their self interest ultimately led to the violation of what the word 'Islām' connoted. Often a dual personality found expression in their life, and their deeds demonstrated such sad contrasts that it is difficult to find out where lay the real man. Take for instance, 'Umar II; he ordered his governor to distribute the surplus cash in the Bait-ul-māl to the Dhimmis after meeting the needs of the Muslim subjects; but at the same time he decreed that the Dhimmis must wear a distinctive dress so that they might not be mistaken for Muslims. He was the man who began the systematic ousting of the non-Muslims from public office.¹ Again 'Umar II was exceedingly just in his dealings with the individual subjects whether Dhimmi or not; but taking the non-Muslims as a community, he felt that it was his religious duty to put restrictions on them and he was a pious persecutor. Similarly, Al-Ma'mūn who was liberal enough to attempt a cultural fusion in his empire offered the people of Haman the choice between Islam and death.² Mutawakkil was an open persecutor

1. Surah AN-NIL Verse 24, *Wa qulad Haddayn rabbikum farman shay' yafkharun*. Wa min Shay' yafkharun.

2. Surah AL-Verse 6, *Lakum Dunyahun walayn Dun*.

3. Jauz 12, *Umar 'Abdullāh ibn 'Abdūl Hakkam*, p. 67.

4. See ante, pp. 219-20.

5. Taitton op. cit. p. 231.

of the Dhimmis, but he had a large number of personal friends amongst them whom he patronised. He promulgated extremely severe laws against non-Muslims. His laws were so severe that many of them could not be executed and if a Muslim wants to find out the type of laws against non-Muslims, Mutwakkil's might serve as his models.

Behind the 'Abbāsid laws lay the inspiration of the theologians. The compilation of the Muslim jurisprudence was done by the 'Ulamā and not by Muslim statesmen. The 'Ulamā made interpretations and wrote commentaries often according to their personal views, and this accounts for the growth of a kind of Muslim jurisprudence not always warranted by the Prophet or by the Revelations.¹ A Mullā of Mutwakkil's court living in the Mughal Empire during the reigns of Akbar and Jahāngir, might rub his eyes in astonishment and question if he were living in a Muslim kingdom, because compromises in religious matters were so many and so wide in Mughal India. Bābur believed in astrology, in witchcraft, in necromancy and enjoyed wine cups,² though the

1. The number of commentaries on the Qur'ān is more than ten thousand, possibly the largest on any single religious book. This was due as much to the belief in the religious merit that the commentators gained by their work, as to the necessity for adjusting precepts of the Sacred Book to the needs of time, place and circumstances. Our assumption is also warranted by the fact that non-Arab contribution to the Tafṣirs is unusually large because they needed such adjustments of their social life to the precepts of the Qur'ān more than the Arabs. The difference amongst different commentators in the interpretation as in case of the permissibility of music by the Qur'ān, points to the preponderance of both the subjective and objective background of interpretations.

2. Still Bābur was glad to acquire merit by destroying temples U.P. Hist. J. 1936. S. K. Banerjee, *Bābur & the Hindūs*, See ante. p. 184.

Muslim in him came out on the eve of the battle of Khanwah. Unlike the common Arabs, he laid more stress on the faith than on the form. Hamāyūn's disposition, as told already, was that of a mystic who are generally incapable of being systematic persecutors. He believed that he represented light; so he used to wear a veil over his crown and when the veil was removed from his face, his courtiers used to cry out, 'Light has shown forth.' Even in Persia, he was jeered at for his queer belief.¹ It was easy for Bābur and Hamāyūn to change their creed from Sunnism to Shi'ism, again from Shi'ism to Sunnism because the elastic tendency so common amongst the central Asian Mongols. Further, Hamāyūn had no time in India to give any stamp of his own to his rule as it was intermittent.

During the interregnum of the Sār dynasty (1540-55) the spirit of the Mughals was anticipated by Sher Shāh. Sher Shāh was an Afghan by birth. Though not by blood, he was a Maghal in spirit. It was fortunate for the Mughals that precedents were created by the Sār dynasty in various departments of the state which were not strictly in accordance with orthodox Islām. It may be repeated here that in reign of Sher Shāh, people of various faiths studied under same Muslim and Hindu teachers.² Hindus could amass large wealth

1. Khwandamir, *Humayun Namah*, Trans. R. A. S. B. pp. 25, 51, ed. Dr. Tripathi, op. cit. pp. 117-18.

2. See ante, pp. 186-86.

3. N. N. Law in his *Promotion of Learning in Muhammadan India* has given some facts regarding Hindu teachers in Muslim schools. In a small Urdu book named *Hindustan ke Qadim Islami Darul-Uloom* Maulvi Abul Husnat Nadwi has given a list of all important Madrasas in important Muslim centres in India throughout the Mughal period.

during this period ; systematic impoverishment of the Hindus, as was done by 'Alāu'd-Din Khaljī was hardly ever attempted in the Mughal period, except for a brief period in the reign of Āurangzeb.

Almost everything that has been said or done by the Muslims rulers, has been recorded and may be judged in the light of history. The stock-taking of Islām depends on the angle from which one likes to look at it. The fact is that some Muslims committed crimes against humanity and they sought sanction for their misdeeds in Islām and to that extent Islām suffered in their hands. Instances may be found to prove that the Muslim rulers were most intolerant ; on the other hand, if one likes, one may discover examples of humanity, tolerance and progress amongst them.

The above observations are also applicable to the Mughal Emperors in India. In Mughal India, events *moved in waves, and not in curves* as in Arabia. Of course, there was no constitutional growth in the modern sense of the term ; the Mughal system lacked coherence in many places. It is to be noticed that the final conquest of India was not completed by the Arabs, though the Islāmisation of Sind was to a large extent due to the Arab influence more than anything else. The Turki conquerors did not merge their tribal and family instincts in their new Faith. Gaps in Islāmic institutions in the Saltanat India (1206-1526 A.D.) were partly due to the social psychology of the conquerors. As has been already said, the Mughals had accepted the Faith of Arabia but not the

socio-political system that accompanied the Faith. This was helpful to the development of new forms apparently based on religion but really based on the adoption of non-Muslim institutions in India by the Mughals. The Sūr Dynasty had honestly set its own patterns and dogmas which, while professing Islām, were not what was sanctioned by the orthodox.¹ Sher Shāh was the first builder of Muslim empire in India in which Hindus and Muslims were allowed to *enjoy the common benefits* of the state: at the same time personally he too was a "good Muslim." And like Bābur who inspite of his innate liberalism, destroyed some temples, Sher Shāh also could not completely outgrow the spirit of the environment as one would expect from a man of his type.² Sher Shāh, the Emperor, might well console Sher Shāh, the Muslim, by saying "Not that I love you the less, but I love my State the more³." His state was based upon a new synthesis of political structure not divorced from religion but at the same time not a hand-maid of religion. Encouraged by the unorthodox example of Sher Shāh and saturated with the eclectic tendency of his Central Asian Turki ancestors, Akbar looked upon himself as Hindustani⁴; in

1. Thomas, *Chronicle of the Pathan kings* p. 413. Wright, *op. cit.* p. 123.

2. *Tārīkh-i Dā'ud*. p. 236 refers to Sher Shāh's order to convert a Jodhpur temple into a mosque, and still today there stands a Sher Shāhi mosque in Jodhpur. Sher Shāhs conduct in Pūranmal's war lends a religious colour if the *Tārīkh-i 'Abbās* is to be believed. pp. 132-33.

3. *Hubb-ul Waṭan Min al Imān*—"Love of one's country is a part of one's faith." But ordinarily a Mullā type of Musalman refuses to admit this precept of the Hadith in practical life.

4. Even a staunch Mullā like Badā'uni called himself *Hindustani*. That indicates how this 'Hindustani' feeling was rooted amongst common folk during the Mughal days.

fact, he was the first of the Mughals born in Hindustan, though Dr. V. A. Smith conveniently attempted to overlook that important fact. It was not so much his marriage in Hindu families and appointment of Hindus to high government offices as his spirit of conciliation and sense of respect for the sentiment of governed that gave his government a national tone and an Indian outlook. His foreign policy in and outside India was guided by unorthodox considerations; Muslims were fought against and killed not because they were Muslims but because they were the enemies of the state.¹ The charge of apostasy against Ākbar is not tenable in the light of facts; he was a Muslim no doubt, but he did not encourage the spirit of religious isolation which the theologians pleaded for a Muslim ruler.² Even Faiḍī, the Muḥtahiḍ of the Dīn-i-Ilāhī copied the Qur'ān; Ā'zam Khān, an Ilāhiyah, vehemently opposed the grant of concessions to the Christians.³ But Ākbar had the boldness to abolish the Jeziah which was sanctioned by the law and usage of Islām. The Sikhs were granted the right on lands over which the 'Golden Temple' was built.⁴ Jains were allowed to make pilgrimage

1. During the wars against Muslim states of the South, Aurangzeb was reproached by the chief Qāḍī, the Shaikh-u'l-Islām that it was against the tenets of Islām to fight the Muslims. Sarkar, *Aurangzeb*, III pp. 85-86.

2. See my article on *The Historical value of Muntakhabut*. Proceedings of the Indian Historical Congress, Allahabad, 1936. In this article I have shown the peculiar angularity of the orthodox party in the court.

3. The *Din-i-Ilahi*. p. 266, Sarkar, *Aurangzeb*, III. pp. 297-299.

4. *Dabistān*. Tr. II p. 275.

to Satrunjaya hills without let or hindrance.¹ The Parsee Dastār Maharji Rānā was granted lands.² The Christians were conceded rights for building churches and making conversions.³ Privilege of joining state-service was extended to different communities though it was the Rājputs who greatly benefited by it. For a long time the national aspect of the Mughal rule was maintained by toleration in religion, uniformity in administrative system, in common survey and settlement of lands, in the unity of language and in the development of a new civic ideal based upon allegiance to the State as personified in the Emperor.

Jahāngir, too, regarded his sovereignty as a divine dispensation as he says in the Tazāk, "The just Creator bestows on him whom He considers fit for His glorious and exalted duty; on such person, doth He fit the role of honour." Jahāngir was a mixture of opposites. On the whole the mixture was wholesome for the purpose of his state. He was an Ilāhiyah in spirit but occasionally the Muslim in him got the better of monarch⁴ and we find him destroying temples of the Hindus, making conversions and putting hindrances to inter-marriage. At the same time, he granted permission to the Hindus to build temple of Keshav Rāi at Mathura and of Madanmohanji,

1. Smith, *op. cit.* pp. 165-68.

2. J. J. Modi, *Parsees at the court of Akbar*, J. R. A. S. Bombay, Vol. XXI, p. 62.

3. *Ibid.* II, p. 392, (text.)

4. Jahāngir's religious views, see Beni Prasad's Monograph; his reference are good but conclusions do not always follow from the facts he narrated. pp. 230-34.

Gopīnathjī and Mahāprabhu at Brindaban. He turned out the Jains from his kingdom, executed the Sikh Gūrū Ārjūn and at the same time he loved to converse with the Jain Yogis and honoured Siddhī Chandra and Bhānu Chandra. He ordered that no governor should make conversion though he personally made a few. He was a man who could be liked as a loveable personality, but not imitated. At times he was as great as his father ; and on occasions, he was an out-and-out tyrant. Any way, he was not too serious about anything, his reactions were much more the result of impulse than of cool calculation.

Shāh Jahān was a child of the Turko-Rājput combination. As a king, hardly any one of his family was the recipient of so much appreciation from contemporary historians and biographers. The glamour of his court, the lustre of his art and the wealth and luxury of his royal displays blinded the critics, and they lost sight of the corroding elements that were eating into the vitals of his state. From the point of view of administration, he maintained the apparent gloss of the state of Ākbar ; in fact, he made it more polished. Though for different reasons, the Hindus were still in service, some of his best generals were Hindus, and his court promoted the fusion of Hindu and Muslim art, literature and culture. The Persian element in court was still maintaining the polish of the royalty. The artistic genius and skill of the Indians could be easily witnessed in his *Diwān-i-Khās* (Hall of Private Audience), *Diwān-Ām* (Hall of Public Audience),

and in Takht-i-Tau's (Peacock Throne). Both the Hindus and the Muslims took pride in the glory of the Mughals as "Our Sovereign;" the "Peace of the State", as was allowed by the circumstances and conditions of the time was enjoyed by his subjects inspite of destruction of temples, stoppage of intermarriages and conversion of Hindus due to the spasmodic outburst of his religiosity. The laws and Farmāns of the Emperor were still respected by the entire population and there was hardly any revolt of the Hindus as such against the state. Besides the details in matters of religious performances, the general policy of the state had a national and liberal outlook. That Shāh Jahān was not a blind fanatic is proved by his not reimposing the Jeziah, and by the way in which Dārā and Jahānāra were allowed to pursue their literary and intellectual studies. As has been said already, the subversive tendencies of the early period of Shāh Jahān's reign was more than compensated by the liberality of Dārā and the grace of Jahānāra.

The national and liberal background of the Mughal government was irreparably lost by the policy of Aurangzeb. The ideal for which he stood was a complete departure from the spirit that actuated some of his illustrious predecessors. His stand-point was that his state was the Kingdom of Allāh and he was only the custodian of the Bait-ul-Māl of the K̄hilāfat.¹ Whatever might be

1. Aurangzeb treated his kingdom politically as a personal hereditary dynastic property when he divided his empire amongst his sons. Khāfi Khān, E & D. vol. vii 386. (See next page)

his motives, his actions were calculated to disturb the balance of the state. He was, by nature, suspicious and distrustful; his suspicious psychology became all the more dangerous when it was worked up by his religious angularities and wonderful potentialities. There is no doubt that he systematically destroyed the temples of the Hindus, forbade the building of new ones and disallowed the repair of the old ones. He put disabilities on their religious observances, economic burdens were saddled on them by an increase of customs duties and a distinction was sought to be created between the Muslims and non-Muslims by the imposition of the Jeziah. Hindu officers were dismissed from the revenue department; non-Muslims were converted with the bait of material gains. The Rājputs, who were pillars of the secular state of the Mughals, were turned into foes; Mahrāttas, Satnāmis, Jāts and Sikhs hated the Mughal rule like a scorpion. Even the Shī'as and some Sunnī sects of Islām did not escape Āurangzeb's persecuting hands. The Shī'as were called Rāfiḍī (infidels) and Bāṭil-i-Madhabbān (men of untire religion).¹ The Ismā'īliās of Gujarat were terribly persecuted by his order. He stopped celebration of The Muḥarram which was primarily a

(Continued) As early as the 13th century, Balban in course of his advice to his son Prince Muḥammad, held the theory that state was a kingdom of Allāh of which the king was a custodian, maintaining its indivisibility. But in actual practice he even proposed to divide it, if Ḍiyau'd-Dīn is to be believed. Prof. Topa in his *Politics in Pre-Mughal Times* has given a systematic review of the philosophy of kingship in this period.

1. *Buḡat-i-Ālamgīrī*, p. 113, *Mir'āt-i-Aḥmadī*, p. 153. See ante, p. 224.

Shi'ah festival in 1669 after the riot at Burhanpur.¹ He would not permit the Shi'as to continue the practice of sending 'bones' to Karbala and Mashhad.² He asked his nobles not to give names to their sons with 'Alī at the tail end. New-comers from Persia were not to be appointed in the west coast, for they might be communicating with the Shi'ah Persia. The kingdoms of Bijapur and Golconda had to pay dearly for their religious professions. The bitterness at the centre radiated bitterness at the circumference and generated a corresponding bitterness amongst the persecuted people against the emperor. In Rajputana, Malwa, Bundelkhand and Khandesh, the Hindus offered violent resistance to the destruction of temples. The Hindus destroyed no less than three hundred mosques in Gujarat and turned some of them into temples.³ In Benares, Hindus broke Muslim places of worship and organised themselves to prevent the Friday prayers. The Jāts destroyed the famous Mosque of 'Abdu'n-Nabī by way of retaliation. In some places, the collectors of the Jeziah were expelled and their beards plucked out.⁴

Aurangzeb's long absence from the centre of administration naturally dislocated the machinery of his government and in the end, he could not enforce his Ā'ins and his Farmāns. In 1671 A.D., he issued a Farmān asking the different provincial governors not

1. Khāfi Khān. Vol. II. p. 214. For details of Shi'ah persecution *Tārīkh-i-Kashmīrī Āzami* may be consulted. *Cambridge History of India*, IV. p. 229.

2. *Kalimat-i-Tayyibat*. 12 f.

3. *Vīrbinoḍe*. p. 471. *Lāhōrī*. Vol. II. p. 58.

4. Faruki. op. cit. pp. 106-08, 131-32.

to appoint Hindus in the revenue department, but he was compelled to recall the order because the department could hardly run without them.¹ In spite of his edict forbidding religious fairs, the Hindus held fairs in important centres like Thaneswar and Sialkot. Exemption from the Jeziah was granted to those who served the state as officers. The Christians were also exempted from the Jeziah after the representation of Magalhaeno.² The position of the Jains, on the whole, improved in the time of Shāh Jahān.³ In Gujarat, the Parsees were not disturbed in their religious observances. The Christians were even allowed to build churches and make conversions, so says Dr. Hamilton, who was in the south during the last years of Aurangzeb's reign.⁴

In spite of the general pro-Muslim policy of Aurangzeb, as has been observed already, instances could be discovered where he granted lands and made concessions to the non-Muslims for personal considerations. Faruki quotes two Farmāns granting lands to the Brāhmans within the district of Benares.⁵ He remitted all taxes on a piece of land which was purchased by Father Joseph la Castre in 1672 A. D.⁶ One Tilak Chānd was appointed a governor of Malwa

1. Khāfi Khān, op. cit. Vol. II. pp. 249, 252.

2. Maclaga, op. cit. pp. 122-23.

3. In the second year of his reign, a Sanad was granted by him extending general protection to the Jains. Murād as governor of Gujarat granted some lands to Santdās Jain. *Mir'āt-ṭ-Aḥmadī*. p. 253.

4. Hamilton, *A new account of the East Indies* Vol. I. pp. 159, 162-63.

5. Faruki, op. cit. pp. 131-32.

6. J. P. H. S. Part 2. pp. 4, 6.

and was given a military rank for his services in a war.¹

According to the *Tadhkirat-u'l-Umarā'*, the Hindu *Manṣabdārs* of the superior rank counted one hundred and four. Sulaiman Nadvi has discovered some grants of lands to a temple at Gaya by Āurangzeb. Recently, a Sanad has been discovered at the Umānand temple in Āssam which tells that Āurangzeb made grants of lands to Sudāmā and Kādeb, the two priests of the temple, near the Brahmaputra river.² These concessions were there no doubt, but they were too small a compensation for the harm he did to the liberal government of the *Timūrids*. There is, no doubt, that compared to the principles and practices of the Turko-Afghan period, the Mughal administration was an advance from all points of view. Compared to the position of the "heretics" in Europe under some Christian rulers in the 16th and 17th centuries, the position of the non-Muslims was much better inspite of the "Muslim first" policy of the state and inspite of the reservation of the special privileges for the Muslims in the state-services of the Mughals. The wise work done by his great grandfather could not be wholly undone by the anti-national policy of Āurangzeb. Common economic and political interests brought the Hindus and Muslims nearer to each other in the secular fields. Muslim soldiers joined the ranks of Sivājī; the disbanded Muslim soldiers from Bijapur and Golconda gladly entered the Poona regiments

1. Faruki, op. cit. p. 202.

2. *Śrībhāratī*, Calcutta, Vol. II. No. 10, pp. 631-32.

instead of the Delhi army. In Bengal, the Hindus formed an important branch of the army of the Muslim *Ṣubadār*.

On the whole, from the point of view of the State, the long life of *Āurangzeb* was not a blessing. Had *Āurangzeb* died after the capture of *Shambhājī* (1688 A. D.) the Mughal Empire might have been spared the tragedy as could have been the case of France, if *Louis XIV* had died after the treaty of *Ryswick* (1688 A. D.). It was a tragedy that *Bahādūr Shāh* came to the throne when he was about sixty, an age when a man generally loses his initiative and thinks of the other world instead of this. It was impossible for that old emperor to restore the great structure of *Ākbar* after it had been turned upside down by his father, even if he liked to do so. The downward movement that set in with the passing away of that lost genius, *Āurangzeb*, was complete within thirty years. The question of a national government was no longer thought of, because the Empire broke to pieces and each part of the country began to think in its own way. The unity was broken and the system dislocated. The collapse of the Empire was no sudden and so complete that it presents an amazing transformation. Had *Dārā* succeeded *Shāh Jahān*, or had not the Westerners supplanted the Indo-Mughal civilisation by their own, the Mughals might have left a heritage to the Mediaval East as the Romans in the olden days had left to the Ancient West.

CHAPTER VIII

CONCLUSIONS

A thousand years had passed between the Mughal rule in India and the advent of the Prophet in Arabia.¹ The rule of the first two Pious Khalīfas had made honest attempts to create precedents in conformity with the Prophet's command; the 'Umayyads established a dynastic state which was a negation of the tenets of Islām;² the 'Abbāsids made compromises and accommodated new factors into the complex policy of Arabianisation for which the 'Umayyads stood along with their policy of Islāmisation of the conquered peoples on the basis of the Traditions. The 'Ulamā and the legists had formulated new theories to solve new problems created by the incorporation of new races into the fold of Islām. The unity of Islām broke down under the pressure of circumstances and under the weight of its own burden, when it was no longer possible for the Khalīfah of Baghdad to force his authority on the newly conquered peoples with different outlooks on life. Whether Islām was conceived on a universal

1. Muḥammad was born in 570 A.D. and real Mughal rule in India started in about 1570 A.D. exactly a thousand years.

2. It is to be noted that the tribal spirit and blood thirst compelled the Arabs to transfer their capital outside Arabia proper—the 'Umayyads to Damascus in Syria, an old Roman province and the 'Abbāsids to Baghdad, a city in Iraq under Persia. Islāmic rule with a capital in Arabia was only for 30 years.

basis as Goldziher held¹, or the universal role of Islām was an after-thought as Muir contended, that the community of the Muslims was split up into innumerable groups, is a historical fact. Naturally, with the establishment of the new states by the followers of the Faith outside the immediate reach of the successors of the Prophet ruling in Baghdad, in various parts of the world comprising different races and nationalities having different traditions, many older than Islām, historically speaking, new problems of government cropped up under diverse climatic conditions. The Indian portion of the Muslim dominion fell within the sphere of the Eastern Khālifat, and every Muslim potentate to the East of Arabia accepted the formal supremacy of the 'Abbāsids. Actually, Nizām-u'l-Ārādī says, "A monarch is a lieutenant of the Khālifah to administer the outlying parts of the commonwealth which cannot be easily governed by one authority from the centre. Just as the Prophet is the vicegerent of God, the monarch is

1. The universal role of Muḥammad as a Prophet may be read in the following Suras of the Qur'ān :—

Surah 1, Verse 1—*Al-ḥamdu li'l-lāhi Rabbi'l 'ālamīn*. All praise is due to God, the Lord of the worlds (And Muḥammad is the Prophet of God).

.. 12. .. 104—*In huwa illā dhikrun li'l 'ālamīn*. It is nothing but a reminder for all mankind.

.. 21. .. 107—*Wa mā arsalnāka illā rahmatann li'l 'ālamīn*. We sent thee only as a mercy for the whole world.

.. 34. .. 28—*Wa mā arsalnāka illā kāftatann li'n-nāsi bashīrann wa-nadhīrān*. We have sent thee but to all men as bearer of good news.

(See next page)

the vicegerent of the Khalīfah."⁴ Khalīl ibn Shāhin az-Zāhirī (1410-1468 A.D.) says, "No king of the East and the West can hold the title of Sultān unless there be a covenant between him and the Khalīfah."

Masūd of Ghazna took an oath by way of his declaration of allegiance to the 'Abbāsīd Khalīfah Abdu'llāh ibn Abdu'llāh Abū Ja'far, and admitted that the oath was a religious sacrament, the breach of which would amount to his "not believing in the Holy Qur'ān, in Him Who has revealed it and turning away from Allāh and His Apostle."² The

Continued—

Surah 68, Verse 52—*Wa mā huwa illā dhikrunn li'l 'ālamīn.*

It is naught but a reminder to the nations.

„ 81. „ 27—*In huwa illā dhikrunn li'l 'ālamīn.* It

is naught but a reminder for the nations.

On the other hand, Muir contends that the heritage of Islām as a world religion is an after-thought. Caetani shares the same view. According to him, "Muḥammad did not look beyond Arabia, in fact, he confined his endeavours and ambitions to a very small portion of the peninsula. Had he aspired to greater things, he would have proceeded in a much more aggressive manner, once he had come to power." He holds that so pretentious a programme as 'The world for Islām' "would have been discussed in detail in the Qur'ān and the treatment of the peoples refusing Islām would have been specified with detailed accuracy. After the seizure of Makkah, Muḥammad's policy was pacific and conciliatory." A. L. Wismar, *A Study in Tolerance*, p. 14.

Argument of Muir is based on Surah 6, verse 92, running thus :—

Wa letundhira lemma a'l qura wa man hulahā i.e. Thou (Muḥammad) warn the mother of cities (Makkah) and all around her.

This verse clearly confines Muḥammad to the limits of Makkah and its neighbourhood. Further, Surah CVI. verse 1. pleads on behalf of the people of the Quraish from which Muḥammad came :—

Le-ilāfi Qurāishin i. e. for the covenants by the Quraish.

2. Chahar Maqalah, quoted by Arnold, *The Caliphate* pp. 73-74.

Khilāfat association during the Turko-Afghan rule of Hindustan being direct, necessarily led to the growth of traditions of the Eastern Khilāfat in this country. The Turko-Afghans had not lost the zeal of a convert during the early year of their rule in India, and being officially recognised as Sultāns of India, they willingly agreed to adopt the patterns of the Islāmic state of Baghdad, especially because they had no administrative patterns of their own. The influence of the theologians on the 'Abbāsīd rule was more pronounced than it was on the 'Umayyads; naturally, their influence on the Turko-Afghan forms was equally pronounced.¹

But the Mughals were a people different from the Turko-Afghans; they had their governmental traditions and cultural heritage of some standing, with an outlook on life widely different from that of the Arabs whose society was looked upon as models for all Muslims of all climes in the early days of Islām. The Mughals came to rule over Hindustan inhabited by peoples who had a heritage much older than theirs and who followed deeply-rooted customs under different climatic conditions with an absolutely stereotyped pattern of society. The Mughals being themselves converts, it was easier for them to make new approaches especially because the primitive orthodoxy of the Muslims had lost its force by the lapse of a thousand years since its advent. Further, in India, conversion

1. Baiḥāqī, pp. 370-374 (quoted in Appendix A by Qureshi in his *Administration of the Sultanate of Delhi*).

was only partial and piecemeal unlike that in Syria, Egypt, Morocco, Irak, Afghanistan and Iran Turkistan. In India, the number of the Dhimmis was overwhelmingly large in comparison with the converts and immigrants and often the conquerors had to depend as a matter of policy on the goodwill of the conquered for their own existence. They had to incorporate fresh factors and make new patterns not always sanctioned by the precepts of the Qur'ān or the traditions of the Prophet, or by the precedents of the Pious Khalifas. The basis of the rule of the Mughals was thus much broader than that of the Arabs who generally followed a policy of Arabianisation of races and people conquered by them, whereas the Mughals generally left the conquered people to live under their own social environment and economic structure. The political allegiance to the ruler or his dynasty was the passport to existence in Mughal India and not allegiance to the religion of the ruler, though there were some occasional attempts to the contrary. On the whole, the rights and privileges of the conquered including even those which were directly against the tenets of Islām, were tolerated by the Mughals not always merely as a policy, but as a result of a synthesis. These points have been discussed already in relation to the conception of the Mughal State and in relation to their total outlook on religion and religious practices.

To summarise what had been said :

In their conception of the State, the Mughal rulers were influenced by the environment of the country of their origin, Central Asia, and also by the country

of their adoption, Hindusthan. The Central Asian heritage had not been lost upon the Tīmūrids inspite of their acceptance of the Semitic religion of Arabia. Rather, their association with the mystic culture of Persia and their habitation in the midst of the polytheists of India were favourable to the retention of many of their family traditions. Humāyūn was happy to consider himself as a venerator of Light.¹ Shaikh Mubārak considered his Emperor Akbar as the inheritor of God's effulgence "into whom God has breathed His perfection" and he was "a shadow provided by God" if not "a shadow of God".² Jahāngīr proclaimed that his was a rule sanctioned by the Divinity when Khusrau, his son, rebelled.³ Shāh Jahān, in his letter to 'Adil Khān or Golconda, described himself as "a shadow of God",⁴ and he loved to be addressed as *Dillishwaro ba Jagadiswaro ba*. (The lord of Delhi is the lord of the Universe.) Even Aurangzeb claimed to speak as the "agent of God on earth" (Khalīfatullāh).⁵ The tradition of Islām that the Khalīfah was only a *man*⁶ was long lost, as may be read in the treatises of philosophers like Al Fārabi in his *Siyāsat-u'l Madaniyah*⁷ when he discussed the position of Ra'is-u'l Āwwāl, and in the works of a political thinker like Niẓām-u'l Mulk at-Ṭūsī in his *Siyāsat*

1. Khāwand Mīr, op. cit. pp. 36-37 (Text).

2. *Akhlāq-i-Jalālī*, p. 134.

3. *Tuzūk*, 24 (Text) Tr. I. pp. 51-52.

4. Lahori, Vol. I, i, p. 174 (Text).

5. *Nigār Nāmā-i-Mūnshī*, p. 157 (Text).

6. See ante p. 67 N.3.

7. Al Fārabi, op. cit. pp. 54, 59.

Nāmah when he discussed the position of the ruler as having been given "the charge of well-being of the world and comfort and tranquillity of human race after duly furnishing him with arts of government".¹ This idea of divine touch in the person and position of the Muslim ruler was largely due to the influence of the passage of time, of the association with the Aryan culture of Persia and of the sub-conscious undercurrent of their heritage. The divine association that hedged the Mughal ruler was not to be understood in the sense in which it was understood in Christian terminology which developed a "Church" with power to alter, change or substitute the fundamentals of the tenets of faith and rituals. On the other hand, in Islām, the king or the 'Ulamā or the whole community was not competent to alter even a syllable of the Holy Law as revealed in the Qur'an. In the Mahḍar presented to Ākbar, it was distinctly laid down that the emperor, the perfect man (Insān-i-Kāmil) could not give any decision contrary to the Qur'ān or avowed traditions of the Prophet.² No doubt the glorious period of the the Mughal rule in India has at one end Ākbar the Great and at the other Aurangzeb the Gripper and the two championed diametrically opposite theories of state. Ākbar was admittedly a product of history, while Aurangzeb was rather blind to the lessons of history. But neither of them repudiated his obligation to the Divine Dispenser. The Mahḍar of 1578 A. D. could not be valid without the signature of the Ṣadr-u'ṣ-Ṣudūr,³ nor

1. Niẓām u'l Mulk at-Ṭusī, op. cit. p. 200.

2. Bād. Vol, II, pp. 271-72 (Text).

3. Ibid (272) Text.

the succession of Āurangzeb during the life-time of his father could not be legally valid without the recognition of the same dignitary.¹ Though, for his appointment the Ṣadr-u'ṣ-Ṣudūr depended on the Emperor, yet, while in office, he could hardly declare and interpret the Law and traditions of Islām even beyond the emperor. In their pattern of government and administration the Mughals used the Arabian nomenclature, and adopted the Persian ethics of royalty though the setting was Indian. The most powerful intrusion into the Mughal politics was made by the personal law of the Hindus. The Hindu law refused the right of inheritance to an apostate, because by his conversion a Hindu is denied the rights of offering पिण्ड (Piṇḍas) (funeral oblations and offerings) to his forefathers after their death and as such he lost the right to succeed. That in India conversion was not so brisk was partly due to the reluctance of the rulers to permit the enjoyment of all the economic privileges and rights which a convert had before his admission to Islām though he was at once given all the economic privileges and rights under the Muslim personal law. A Dhimmī who turned a Muslim had to surrender his rights to his ancestral and family property. This was in accordance with the tradition of Kẖalīfah 'Umar I, who refused to allow Āl-Āsh'ath to succeed to the property of his childless aunt because he had married a Jew.² Of course, Shāh Jahān proclaimed that "family pressure should

1. Tavernier, I, 356.

2. *Al Madīnatu'l Kubra*, 4, 259.

not prevent a Hindu from being admitted into Islām."¹ So far as law-making was concerned, the Mughals did not outwardly deviate from the fundamental conception of the Shar'at when they conceded the private rights to the Dhimmīs. They flattered that they were within the Hikmat (spirit and substance) of the Holy texts in making concessions to the non-Muslims. But the orthodox held that they conceded too wide privileges which a Muslim sovereign could not do without violating the spirit of the Law. Aurangzeb, of course, submitted the question of monopoly in the manufacture of iron wire at Ahmedabad to the decision of the theologians.² He stopped his attempts to regulate prices when he discovered that it was against the opinion of the 'Ulamā.³ His imposition of the Jeziah was based on the traditions of Islām though long discontinued in India.

We now come to the question whether the Mughal State was a Theocracy or not. Opinions widely differ on this issue. Theocracy comes from the Greek root *Theos* meaning "God" and *Krātein* meaning "to rule." It is a form of government or state "in which God or the Divine Power is looked upon as the source of all civil powers, and the Divine Commandments are regarded as the laws of the community." A true example of theocratic kingship was under Saul. So, theocracy was a government where the fundamentals of administration were to be decided

1. Lahori, I, ii, 535 (Text).

2. *Mir'āt-i-Aḥmadī*, I. 292-93. *Jam'a az guzār girān...be shirkat ghair kār mikardand...Chun 'in mā'na ba'arādi-'u zamān rasīd—Hukm jahān maṭa'i ālam muṭī paiwast ke mān'a kasb shar' an ja'iz nist.*

3. Khāfi Khān, op. cit. II, 395.

by the agents of the Divinity, that is 'the Church.' As has been mentioned already, so far as the religious laws are concerned, Islām has no "Church" with any ordained priesthood, who can change, alter or substitute the tenets and rituals that accompany the religious dogma of Islām.¹ Even in matters of application of the Texts, the theologians are bound by the interpretation which the Prophet or his companions gave. The differences in interpretation, when they came and often they came, were always claimed to be based on "Authority" (*Dalil*), which has been advanced by some eminent Ṣaḥābīs and legists. The Mughal Emperor was not a Pope with a hierarchy of religious officials under his command in any sense of the term, though Vincent Smith wanted to present Akbar in the role of an Emperor and Pope combined into one.² Dr. Tripathi says³ that the Mughal State was a *theocracy*, while Dr. Qureshi flatly denies the theocratic nature of the Muslim rule in India as a whole, though he agrees with Professor Gibb⁴ that it was rather *theo-centric*. Wismar in his *A study in Tolerance*⁵ says that the Muslim state is, by its very nature a theocracy, because "it dealt with civil affairs. The affairs of the state had to be regulated and conducted according to the Divine Revelations and even in the minutest details of daily life, Muḥammad received Divine Revelations which were obligatory

1. Vide ante. p. 154-155.

2. V. A. Smith op. cit. 181-183.

3. Tripathi, op. cit. p. 2.

4. Qureshi, op. cit. 43.

5. Wismar, op. cit. Introduction, p. XIV.

on all Muslims. If there were any departure, it was 'profanation'."

To conclude, the conception of the state was an after-thought in Islām as has been said already. Muḥammad gave no direction about the administration of the 'Ummat except that it should be done in consultation with the people of the community,¹ and that the precepts of the Qur'ān and his sayings and actions should guide them. The Mughals in theory claimed to follow the same principle no doubt, yet, in practice, under pressure of circumstances, they had to submit to the influences over which they had no control. Though there was no 'Church' in Islām, professional theologians were there in the state-service with this difference that unlike Judaism and Brahmanism, admission to the 'priestly order' was not based on birth, but on the exclusive devotion to the study of the words of God and Traditions of the Prophet. There was no bar for a member of the community to his taking up the theological pursuits and joining the state-service. Most of the posts in the Judicial department were a monopoly of those who were versed in the Words of God, the traditions of the Prophet and the juristic decisions of the legists. In fact, the Mughals came very near to recognising in the state a dignitary with supreme powers in matters² which concerned religion, and in theory the difference between a Muslim state and Muslim religion was a difference without

1. Qur'ān, Surah, XIII. Verse 38. *Wa amrhum shura' bainahum.*

2. S. R. Sharma. Religious policy of the Mughal Emperers, pp. 196-97.

a distinction which may be summed up in the couplet of Abū'l Faḍl :—

"A Faith without a State is futile,

"A State without a Faith is without guide."

The Shar' is the traditional guide in an orthodox Muslim state; the Shar' is the legal sovereign, though the real sovereign is the ruler with power of interpretation and execution. In course of time, into every Islāmic state a dual sovereignty crept in—that of the king and that of the 'Ulamā. Considered from a purely religious point of view, the Shar' is a 'sufficient guide' for the Muslims, who form a community of the Faithful and 'for whom the Qur'ān was revealed and the last Prophet was sent.' But with the development of the state with its attendant complications, large powers of interpretations of the Law and execution thereof, in matters of government, had to be arrogated by the Rā'is-u'l-Āwwal, the supreme head of the state, though that privilege was theoretically based on "Authority." No Muslim ruler had the courage to declare openly that he would not follow the tenets of the Shar'. Every Muslim ruler looked upon himself as an agent of Islām, and every ordinance he made was claimed to have been done for and on behalf of Islām. Akbar even declared that his conquests were "means of making ordinances of Islām known far and wide and of spreading the authority of the Prophet to the territories where even his name had not been heard

1. Qur'ān, Sura iii. Verse 164, *Layl māna'l-lāh al-layl māna' ba'tha fīhim Rasūlan. Yā'ayyuhā'n-nasu qad jā'alna'kum Rasūla bi'l-ḥaqqi min Rabbikum.* Sura, iv, Verse 170.

before.¹ Aurangzeb too openly declared that his rule was subject to the Laws of God, and that if he broke them, he might be charged by the members of the community through the Wakil-i-Shar'. So in a Muslim state the legal predominance of the Shar' is unquestioned.

But in actual practice, the Mughal rulers were guided by their own needs of the state and they did not allow the theologians to have a dominant voice in the matter of administration. In an age of faith amongst the community of the Faithful, the declaration that they were within the bounds of the Shar'at, was politically judicious, and psychologically it satisfied the vanity of the Muslims divines who claimed superiority to non-Muslims on the ground of their being Muslims. While claiming to be within the bounds of the Law, the Mughal emperors often went much beyond the Law in matters of political alliances, economic regulations and social contacts, and in a lesser degree in matters of the grant of concessions to the peoples of other Faiths inhabiting their empire. They did not look up to the Divine power or Divine regulations for 'guidance' when it was to their interest not to do so. In consequence, the 'agents of God,' or the theologians lost their control over the affairs of the state though the formal structure of the theological organisation was maintained by the Mughal rulers. Certainly the Mughal state was not a theocracy in the sense in which the Israelite state was one. From the

1. *Risalat-i-Ahul Fazl*, Part. I, No. 3, Lucknow Text.

2. *Akbar-Nama*, Jan. 17, 1593.

religious point of view the Mughal state was a "profanation" of Islām as Wismar puts it, except in the time of Āurangzeb when it made the nearest approach to theocracy.¹

THE END.

1. With the Hedaya of Maulānā Burhānu'd-Dīn in the 12th century A. D., the development of the Hedaya came to an end. The Hedaya contemplated societies that were overwhelmingly Muslim in population and never considered a multi-communal society, preponderatingly non-Muslim, like the Indian. The 'Ulamā in India continued the old traditions of Arabian society and Khilāfat and they had not the courage to tackle the problems of Indian society. They were satisfied merely with teaching and writing notes (Ḥashiah) on old texts. As a result of this, Muslim rulers in India depended for their work on the need of hour (*Maṣlehat-i-Waqtī*). Ferishtah remarked as early as in the 16th century (d. 1612 A.D.) that "the government, of the modern world and particularly that of Hindustan is not possible in accordance with the Shar'iat."

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